

Ordinance Brief

The Wekiva Parkway and Protection Act, Part III of Chapter 369, F.S., became law on June 29, 2004 and Senate Bill 908 amended the Act in 2005. The Act authorizes building the Wekiva Parkway and provides protection to the Wekiva River system. The Act requires local governments in the Wekiva Study Area to adopt certain amendments to their comprehensive plans. These required amendments are included in the subsequent ordinance. Four maps considered by the LPA in reviewing the ordinance are also included.

Additional amendments relating to the Wekiva-Ocala Area (WOA) and Wekiva-Ocala Corridor (WOC), primarily contained in a new Objective 1-27 were initially included in the ordinance recommended by the LPA. However, at the July 10, 2006 LPA meeting, Staff recommended that these amendments not be included in the transmittal of this ordinance due to insufficient data in the Comprehensive Plan that supported the Objective and related amendments.

The WOA and WOC amendments are recommended for inclusion in the 2025 Comprehensive Plan once the supporting data is available and incorporated in the new plan. For the Boards information, the WOA and WOC Objective and related amendments are included in this ordinance as both strikethrough and underline. Staff recommends that this objective and subsequent policies be included in the draft 2025 Comprehensive Plan transmittal ordinance.

Additions to existing language is shown as underline and deletions are shown as ~~strikethrough~~.

ORDINANCE NO. 2006 – _____
TEXT AMENDMENT
WEKIVA RIVER PROTECTION AREA

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA, AMENDING THE LAKE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR TEXT AMENDMENTS RELATED TO THE WEKIVA RIVER PROTECTION AREA (WRPA) AND THE WEKIVA STUDY AREA (WSA); CREATING OBJECTIVE 6C-5, CHAPTER VI, PUBLIC FACILITIES ELEMENT, STORMWATER SUB-ELEMENT, REGARDING PROTECTION OF SURFACE AND GROUNDWATER; PROVIDING FOR A MASTER STORMWATER MANAGEMENT PLAN FOR THE WSA; PROVIDING FOR STORMWATER MANAGEMENT WITHIN SPRINGSHEDS; PROVIDING FOR BEST MANAGEMENT PRACTICES (BMPs) FOR STORMWATER MANAGEMENT SYSTEMS; AMENDING FUTURE LAND USE ELEMENT, GOAL 2, REGARDING THE WRPA; AMENDING DEFINITIONS; ESTABLISHING THE WEKIVA-OCALA AREA; PROVIDING FOR MINOR AMENDMENTS TO THE POLICIES ASSOCIATED WITH THE WRPA; PROVIDING FOR LOCATIONAL CRITERIA FOR SCHOOL FACILITIES WITHIN THE WRPA; PROVIDING FOR SILVICULTURE EXEMPTIONS IN THE WRPA; DELETING THE DEFINITION OF THE MOUNT PLYMOUTH

1 **SORRENTO URBAN COMPACT NODE; DELETING OBJECTIVE 1-23;**
2 **DELETING OBJECTIVE 1-24; DELETING OBJECTIVE 1-25;**
3 **PROVIDING FOR WILD AND SCENIC RIVER PRESERVATION**
4 **POLICY; CREATING NEW OBJECTIVE 1-25 REGARDING THE WSA**
5 **AND CREATING ASSOCIATED POLICIES; CREATING THE WEKIVA**
6 **TRANSITIONAL DISTRICT; CREATING THE WEKIVA**
7 **TRADITIONAL RURAL DISTRICT; PROVIDING FOR A MUNICIPAL**
8 **JOINT PLANNING AREAS; PROVIDING FOR OPEN SPACE IN THE**
9 **WSA; PROVIDING FOR DEDICATION OF OPEN SPACE; PROVIDING**
10 **FOR DEVELOPMENT DESIGN STANDARDS IN THE WSA;**
11 **PROVIDING FOR PROTECTION, IDENTIFICATION AND SETBACKS**
12 **FROM KARST FEATURES; PROVIDING FOR DEVELOPMENT BMPS**
13 **FOR GROUNDWATER PROTECTION; CREATING OBJECTIVE 1-27**
14 **REGARDING THE WEKIVA-OCALA CORRIDOR; PROVIDING FOR**
15 **POLICIES REGARDING THE WEKIVA-OCALA CORRIDOR;**
16 **AMENDING CONSERVATION ELEMENT, OBJECTIVE 7.2;**
17 **PROVIDING POLICIES FOR GROUNDWATER RECHARGE,**
18 **LANDSCAPING AT COUNTY FACILITIES, AND FOR PROTECTING**
19 **SINKHOLES AND KARST FEATURES; AMENDING CONSERVATION**
20 **ELEMENT, OBJECTIVE 7-3; PROVIDING POLICIES FOR**
21 **PROTECTION OF WATER AND WATERSHEDS, AND TO MAP**
22 **OUTSTANDING FLORIDA WATERS; CREATING CONSERVATION**
23 **ELEMENT, OBJECTIVE 7-4A; PROVIDING POLICIES FOR**
24 **IDENTIFICATION, ACQUISITION, PROTECTION AND**
25 **RESTORATION OF SPRINGSHEDS; PROVIDING POLICIES FOR**
26 **GOLF COURSE DEVELOPMENT; PROVIDING FOR A**
27 **CERTIFICATION PROGRAM FOR LANDSCAPE AND LAWN CARE**
28 **PROFESSIONALS; AMENDING CONSERVATION ELEMENT,**
29 **OBJECTIVE 7-5; ADDING POLICY ON PROTECTION OF WETLANDS;**
30 **CREATING CONSERVATION ELEMENT, OBJECTIVE 7-5B,**
31 **REGARDING AREAS OF ECOLOGICAL SIGNIFICANCE; AMENDING**
32 **CONSERVATION ELEMENT, OBJECTIVE 7-6; REQUIRING ALL**
33 **DEVELOPMENT PROPOSALS EXCEEDING 50 ACRES TO**
34 **INVENTORY NATURAL UPLAND AREAS; PROVIDING POLICIES**
35 **FOR PROTECTION, ACQUISITION AND MANAGEMENT OF**
36 **SENSITIVE NATURAL HABITAT; AMENDING CONSERVATION**
37 **ELEMENT, OBJECTIVE 7-7; PROVIDING FOR PROTECTION OF**
38 **VEGETATIVE COMMUNITIES AND WILDLIFE PROTECTION;**
39 **REQUIRING SURVEYS AND ON-SITE PROTECTION OF WILDLIFE**
40 **WITHIN ENVIRONMENTALLY SENSITIVE AREAS; AMENDING**
41 **CONSERVATION ELEMENT, OBJECTIVE 7-17; CREATING**
42 **OBJECTIVE 6A-5 REGARDING CENTRAL SEWER SERVICE IN THE**
43 **WSA AND ASSOCIATED POLICIES; PROVIDING FOR TREATMENT**
44 **OF WASTEWATER DISCHARGE AND COORDINATION WITH**
45 **WASTEWATER PROVIDERS; CREATING OBJECTIVE 6A-6**
46 **REGARDING ONSITE SEWAGE DISPOSAL SYSTEMS IN THE WSA**

1 **AND ASSOCIATED POLICIES; PROVIDING FOR ONSITE**
2 **TREATMENT; PROVIDING FOR SEPTIC TANK MONITORING**
3 **PROGRAM; PROVIDING FOR REPLACEMENT OF SEPTIC SYSTEMS**
4 **IN THE WSA; PROVIDING FOR ONSITE DISPOSAL MANAGEMENT**
5 **ENTITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR**
6 **AN EFFECTIVE DATE.**

7
8 **WHEREAS**, the Local Government Comprehensive Plan and Land Development
9 Regulation Act is set forth in Chapter 163, Florida Statutes, Part II, Section 163.3161 through
10 163.3243; and

11
12 **WHEREAS**, Chapter 125, Florida Statutes, Section 125.01(g), authorizes the Board of
13 County Commissioners of Lake County to prepare and enforce comprehensive plans for the
14 development of the County; and

15
16 **WHEREAS**, the Florida Legislature adopted Senate Bill 1214er relating to the Wekiva
17 Parkway and Protection Act, that requires Lake County to amend certain elements of its
18 Comprehensive Plan; and

19
20 **WHEREAS**, on the 18th day of May, 2006, the Lake County Local Planning Agency
21 held a public hearing to adopt this amendment to the Lake County Comprehensive Plan; and

22
23 **WHEREAS**, on the 10th day of July, 2006, the Lake County Local Planning Agency held
24 a second public hearing to adopt this amendment to the Lake County Comprehensive Plan; and

25
26 **WHEREAS**, on the 25th day of July 2006, the Lake County Board of County
27 Commissioners held a public hearing to adopt this amendment to the Lake County
28 Comprehensive Plan; and

29
30 **WHEREAS**, it serves the health, safety and general welfare of the residents of Lake
31 County to adopt this amendment to the Lake County Comprehensive Plan.

32
33 **NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of
34 Lake County, Florida, that:

35
36 1. **Recitals.** The foregoing recitals are true and correct and incorporated herein by
37 reference.

38
39 2. **Amendment.** The Stormwater Sub-Element, Chapter VI, Lake County
40 Comprehensive Plan, shall be amended to read as follows:

41
42 {Objective 6C-1, Objective 6C-2, Objective 6C-3, Objective 6C-4, and all associated policies
43 shall remain unchanged.}

1 Objective 6C-5: Stormwater Management in the Wekiva Study Area. The County will
2 revise its Land Development Regulations to protect the functions of ground water
3 recharge areas, springs, and springsheds within the Wekiva Study Area.
4

5 Policy 6C-5.1: Master Stormwater Management Plan for the Wekiva Study Area. Lake County
6 shall cooperate and consult with the St. Johns River Water Management District (SJRWMD), the
7 Florida Department of Environmental Protection (DEP) and adjoining local governments and
8 municipalities in the implementation of the Wekiva Study Area regional master stormwater
9 management plan. The County will incorporate findings, methods, and recommendations of the
10 Wekiva Study Area Master Stormwater Management Plan into the Comprehensive Plan and
11 Land Development Regulations as appropriate. Utilizing the Wekiva Study Area Master
12 Stormwater Management Plan as a guide, the County will revise project priorities within its 5-
13 year Stormwater Improvement Plan and the Capital Improvement Element of the Comprehensive
14 Plan. Priority projects that have been identified within the Wekiva Study Area include but are
15 not limited to: Royal Trails Drainage Inventory, Wolfbranch Sink Water Quality Improvement,
16 Lake Dora Drainage Basin Evaluation, Lake Eustis Drainage Basin Evaluation and the Lake
17 Gertrude Basin Study.
18

19 Policy 6C-5.2: Stormwater Management within Springsheds. Lake County shall adopt Land
20 Development Regulations that protect the quality and quantity of stormwater entering the aquifer
21 within springsheds and springshed protection zones. These regulations shall assure adequate
22 treatment of stormwater before it enters the aquifer, prevent the formation of solution pipe
23 sinkholes, reduce erosion and sedimentation, and optimize stormwater retention to facilitate
24 recharge. The County shall utilize, as appropriate, information contained within the publication
25 “Protecting Florida Springs: Land Use Planning Strategies and Best Management Practices” by
26 the Department of Community Affairs and Department of Environmental Protection.
27

28 Policy 6C-5.3: Best Management Practices. Best Management Practices shall be used as part of
29 a Best Management Practices treatment train in combination with other policies contained within
30 this Comprehensive Plan to protect surface and ground water quality and quantity, and to
31 minimize flooding within the Wekiva Study Area. Best Management Practices shall be used in
32 the design of stormwater management facilities and systems, and shall be adopted within the
33 Land Development Regulations. The following stormwater Best Management Practices shall
34 apply within the Wekiva Study Area:
35

36 1. All residential development shall use swales and swale blocks or raised driveway
37 culverts wherever possible, except when soil, topography, or seasonal high water
38 conditions are inappropriate for infiltration as determined by a professional
39 engineer licensed in the State of Florida.
40

41 2. Vegetated infiltration areas shall be used to provide stormwater treatment and
42 management on all sites, except when soil, topography, or seasonal high water
43 conditions are inappropriate for infiltration as determined by a professional
44 engineer licensed in the State of Florida. Design of stormwater systems for
45 residential and non-residential uses shall use bio-retention areas (below grade
46 vegetated areas) to increase stormwater treatment and reduce stormwater volume.

Downspouts for both residential and non-residential development shall be directed from the roof to vegetated areas for uptake.

3. Where infiltration systems are not feasible, wet detention systems may be used for stormwater treatment and management.

4. The following additional requirements shall apply within the Wekiva Study Area:

a. Sensitive karst features, including but not limited to sinkholes with a direct connection to the aquifer and stream-to-sink features, shall not be utilized as stormwater management facilities. Prior to subdivision approval, all depressions shall be investigated by a licensed hydrogeologic professional using a professionally acceptable methodology for suitability of water retention using generally accepted geo-technical practices with an emphasis on identification of potential connections to the aquifer. If connections are determined to exist, the depression shall not be used for stormwater retention and the area draining to this feature under pre-development conditions shall be preserved through a conservation easement.

b. All development approvals by the County shall require the applicant to submit to the County a copy of the DEP stormwater permit and the National Pollutant Discharge Elimination System (NPDES) notice of intent to be covered by the construction generic permit prior to any land clearing.

c. Sensitive karst features will be identified and placed in a conservation easement so that they will thereafter be used solely for passive recreation subject to permitted activities in subparagraph 4 herein. Sensitive karst features within the Wekiva Study Area shall be defined as any open sinks, relic sinks with a direct connection to the aquifer and stream-to-sink systems.

5. All components of the stormwater treatment and management system shall be in common ownership and maintained by the responsible legal entity identified in the DEP stormwater permit.

Policy 6C-5.4: Stormwater Design for New Development. New development will be required to design stormwater management systems that maintain surface and ground water flow rates and volumes at pre-development levels so that the natural functions of ground water recharge areas are protected.

Policy 6C-5.5: Stormwater Design for Redevelopment. Substantial redevelopment projects shall comply with the standards for stormwater runoff that apply to new development. Substantial redevelopment shall be defined as alternation of 50% or more of the project site.

1 Policy 6C-5.6: Industrial Activities: The County shall discourage industrial uses that generate
2 soluble pollutants within the Wekiva Study Area. Projects within the Wekiva Study Area that
3 are zoned for industrial activity shall be required to ensure that industrial pollutants do not enter
4 the stormwater system or come into contact with ground water.
5

6 3. **Amendment.** The Future Land Use Element, Goal 2, entitled the Wekiva River
7 Protection Area, shall be amended to read as follows:
8

9 ~~GOAL 2. WEKIVA RIVER PROTECTION AREA. THE GOAL IN ESTABLISHING THE~~
10 ~~WEKIVA RIVER PROTECTION AREA IS THE PROTECTION AND ENHANCEMENT OF~~
11 ~~THE WATER QUALITY, WATER QUANTITY, HYDROLOGY, WETLANDS, NATIVE~~
12 ~~VEGETATION AND WILDLIFE OF THE WEKIVA RIVER SYSTEM AND THE WEKIVA~~
13 ~~RIVER PROTECTION AREA IN LAKE COUNTY, THROUGH THE PROVISION OF~~
14 ~~COMPATIBLE LAND USES AND APPROPRIATE DEVELOPMENT REGULATIONS.~~
15 WEKIVA-OCALA AREA. The Wekiva basin and springshed, including the Wekiva River and
16 its tributaries, springs, aquifer recharge areas, wetland and upland habitats, sensitive natural
17 habitats, wildlife, and wildlife corridors, are natural resources of irreplaceable value.
18 Furthermore, the Wekiva basin and springshed are essential components of a larger the Wekiva-
19 Ocala ecosystem of public and private lands that extend into the Ocala National Forest.
20 Collectively tHeis Wekiva-Ocala Area constitutes an integrated set of natural resources of
21 irreplaceable value to the people of Lake County, State of Florida, and citizens of the United
22 States. Lake County shall maintain the long-term viability of these natural resources through a
23 comprehensive and holistic approach to land use, land preservation, water resource protection,
24 and wildlife and habitat needs within the Wekiva basin, Wekiva springshed, and greater Wekiva-
25 Ocala ecosystem.
26

27 ~~OBJECTIVE 1-20. DEVELOPMENT WITHIN THE WEKIVA RIVER PROTECTION~~
28 ~~AREA WITHIN LAKE COUNTY, PURSUANT TO CHAPTER 369, PART III,~~
29 ~~FLORIDA STATUTES AND LAKE COUNTY ORDINANCE 1989-3. Lands~~
30 ~~designated in Chapter 369, part III, Florida Statutes, as the Wekiva River Protection Area~~
31 ~~shall be protected as a Natural System to the Greatest Extent Possible Through the~~
32 ~~Regulation of Land use Densities and Intensities. WEKIVA-OCALA RIVER~~
33 ~~PROTECTION AREA AND WEKIVA STUDY AREA. Lake County shall, through the~~
34 ~~implementation of the Comprehensive Plan, preserve and protect the Wekiva-Ocala~~
35 ~~River Protection Area and Wekiva Study Area as a natural resources of critical state and~~
36 ~~regional importance. The Wekiva-Ocala Area, consisting of the Wekiva River Protection~~
37 ~~Area and Wekiva Study Area and Wekiva-Ocala Corridor, is are illustrated in Figure 1.~~
38

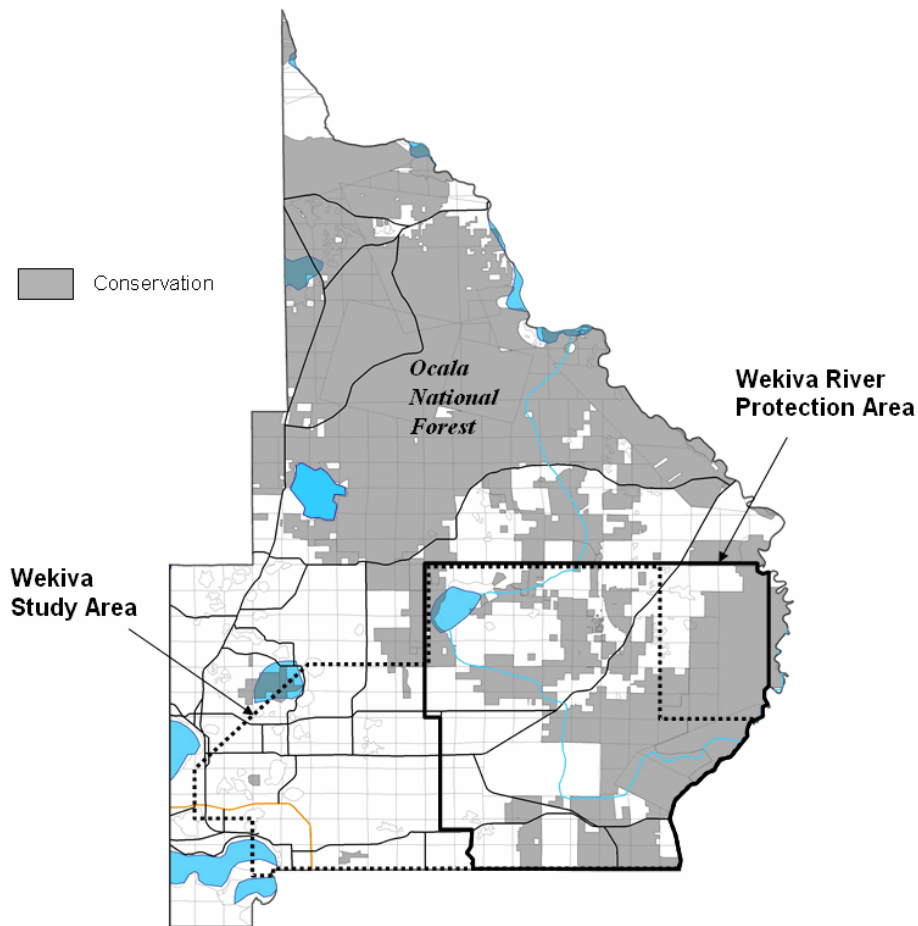


Figure 1 ~~Wekiva-Ocala Area Corridor, Wekiva Study Area & Wekiva River Protection Area~~

Policy 1-20.1: Definitions Applicable to ~~Wekiva-Ocala River Protection Area and Wekiva Study Area~~. The following definitions shall apply to the ~~Wekiva-Ocala River Protection Area and Wekiva Study Area as defined in Chapter 369, Part III, Florida Statutes and the Lake County Comprehensive Plan~~.

The purpose of this Policy is to eliminate ambiguity by providing a full definition of certain words and phrases which are used within the ~~Wekiva-Ocala River Protection Area and Wekiva Study Area~~. Should the definitions contained under this Policy conflict with the definitions contained elsewhere in the Lake County Comprehensive Plan or in the Lake County Code or in the Land Development Regulations, the following definitions shall apply to the ~~Wekiva River Protection Area, as defined in Chapter 369, Part III, Florida Statutes~~. These definitions, currently codified within Appendix B, Zoning Ordinance Article IV, Section 40.0, shall be codified within the Land Development Regulations.

~~Agriculture — The use of land for agricultural purposes, including farming, dairying and pasturage, apiculture, horticulture, floriculture, viticulture, forestry, animal and poultry husbandry, and the necessary accessory uses for packing, treating, or storing the produce raised thereon.~~

1 Aquatic—See surface waters.

2
3 Aquatic Dependent Wildlife Species—Any wildlife species whose life cycle depends in whole or
4 in part on an aquatic environment.

5
6 Base density—maximum number of dwelling units permitted by the zoning classification of
7 property in a receiving area computed on the net acreage of the property without the use of
8 transferred development rights.

9
10 Board—Board of County Commissioners of Lake County, Florida.

11
12 Clustering or Cluster Development—a development design technique that concentrates buildings
13 in specific areas of a site to allow the remaining land to be used for recreation, common open
14 space, and preservation of environmentally sensitive natural features.

15
16 Commercial Development—C1, C2, or CP zoning as defined in the Lake County Code or Land
17 Development Regulations, as amended from time to time.

18
19 Density—A ratio of dwelling units per unit of land.

20
21 Designated Vegetation—Those species designated pursuant to Chapter 581, Chapter
22 581.185(5)(a) and (5)(b), Florida Statutes.

23
24 Designated Wildlife—Those species pursuant to Chapter 38, Sections 3927.004 and 39-27.005,
25 Florida Administrative Code.

26
27 Development—The carrying out of any building activity or mining operation or the making of
28 any material changes in the use or appearance of any structure or land, so as to adapt the land to
29 non-agricultural purposes, and the dividing of the land into three or more parcels.

30
31 Development approval—Final approval by Lake County of a development permit.

32
33 Development permit—means any zoning permit, subdivision approval, rezoning, special
34 exception, variance, site plan approval, or other official action of local government having the
35 effect of permitting the development of land in the Wekiva River Protection Area. A Wekiva
36 River development permit shall not include a building permit certificate of occupancy, or other
37 permit relating to the compliance of a development with applicable electrical, plumbing, or other
38 building codes.

39
40 Development rights—The potential for the improvement of a parcel of real property, measured in
41 dwelling units per gross acre, which exists because of the zoning classification of the parcel.

42
43 Easement—means any strip of land created by a subdivider for public or private utilities,
44 drainage, sanitation, or other specified uses having limitations, the title to which shall remain in
45 the name of the property owner, subject to the right of use designated in the reservation of the
46 servitude.

1 ~~Environmentally sensitive—Ecological systems which are sensitive to development impacts and~~
2 ~~provide important natural functions for maintenance of environmental quality and wildlife~~
3 ~~habitat.~~

4
5 ~~Flood Plain—Any normally dry land area that is susceptible to being inundated by waters from~~
6 ~~any source.~~

7
8 ~~Gross acre—includes the entire area of a parcel of land excluding road right of way.~~

9
10 ~~Gross density—For the determination of transferable development rights within the Wekiva~~
11 ~~River Protection Area gross density shall mean the total number of dwelling units permissible on~~
12 ~~a parcel of land based upon the zoning in place immediately prior to March 12, 1990, and~~
13 ~~depicted on Map I-5.~~

14
15 ~~Open space – Means any parcel of land essentially unimproved and set aside, dedicated,~~
16 ~~designated, or reserved for public or private use of enjoyment, or for the use and enjoyment of~~
17 ~~owners and occupants of land adjoining or neighboring such open space. Open space, does not~~
18 ~~include wetlands, man-made lakes, wet or dry retention or detention areas, natural bodies of~~
19 ~~water, impervious surfaces, or active recreation sites and facilities, such as tennis courts or golf~~
20 ~~driving ranges. The grassed areas of golf courses may be counted as open space.~~

21 ~~Ordinary high water mark— as defined and determined by the St. Johns River Water~~
22 ~~Management District. Open space within the Wekiva Study Area (WSA) and Wekiva River~~
23 ~~Protection Area shall be defined as the land area that remains undeveloped or minimally~~
24 ~~developed, such as trails and boardwalks, as part of a natural resource preserve or passive~~
25 ~~recreation area and shall include land preserved for conservation purposes. Within a~~
26 ~~development site, the County shall require that a minimum quantity of buildable area remain~~
27 ~~preserved, which shall represent the minimum open space requirement. The minimum required~~
28 ~~open space shall exclude water bodies, wetlands, residential lots, street rights of way, parking~~
29 ~~lots, impervious surfaces, and active recreation areas. Minimum required open space may~~
30 ~~include permeable stormwater management areas if enhanced as amenities utilizing native~~
31 ~~vegetation. Golf courses shall be generally excluded with the exception that areas of a golf~~
32 ~~course outside of the regularly maintained fairways that are naturally vegetated and not subject to~~
33 ~~chemical application may be credited toward the minimum open space requirement.. The~~
34 ~~minimum required quantity of open space within a development site shall be calculated over the~~
35 ~~net buildable area of a parcel, which is defined as the total area of a parcel less wetlands and~~
36 ~~water bodies. Non-buildable area, including wetlands and water bodies, are recognized as~~
37 ~~protected features but shall not be credited toward the minimum open space requirement.~~

38
39 ~~Parcel—see lot.~~

40
41 ~~Receiving area – The areas described in Policy 1-20.4 in the Future Land Use Element of the~~
42 ~~Lake County Comprehensive Plan, for development beyond its base density through the transfer~~
43 ~~of development rights or the Development Point Rating System, or both as appropriate. The~~
44 ~~Mount Plymouth Sorrento Urban Compact Node Receiving Area is limited to a maximum~~
45 ~~density of five and one half (5.5) dwelling units per net acre. The portion of the Plymouth~~
46 ~~Sorrento Urban Compact Node which is not within the Wekiva River Protection Area boundary~~

1 is not a receiving area for TDR's and the allowable maximum density for these lands is five and
2 one half (5.5) dwelling units per net acre. An area designated for potential development beyond
3 its base density through the transfer of development rights from a designated sending area. "A-
4 1-20" Receiving Area Number One and Receiving Area Number Two (Mount Plymouth-
5 Sorrento Urban Compact Node) located within the Wekiva River Protection Area are defined
6 and described in the Future Land Use Element of the Lake County Comprehensive Plan.

7
8 ~~Sending Area – The area designated "A-1-40" and "A-1-20" Wekiva River Protection Area~~
9 ~~Overlay Districts on Exhibit "A" and described in Policy 1-20.4 the Land Use Element of the~~
10 ~~Comprehensive Plan, Section 699.31, Lake County Code, and designated on the Wekiva River~~
11 ~~Protection Area Transferable Development Rights sending and Receiving Map on file in the~~
12 ~~Lake County Planning Department and Building Department. An area designated as~~
13 ~~environmentally-sensitive and therefore suitable for the reduction of development potential~~
14 ~~through the transfer of development rights to a designated receiving area. "A-1-40" Sending~~
15 ~~Area Number One and "A-1-20" Sending Area Number Two located within the Wekiva River~~
16 ~~Protection Area are defined and described in the Future Land Use Element of the Lake County~~
17 ~~Comprehensive Plan.~~

18
19 ~~Silviculture—a process, following accepted forest management principles, whereby the crops~~
20 ~~constituting forests are tended, harvested, and reforested either by natural or artificial~~
21 ~~reforestation, or both.~~

22
23 ~~Uplands—as defined in Appendix B, Zoning Regulations, Section 40.1010, Lake County Code,~~
24 ~~and all land that is not wetlands or water bodies.~~

25
26 ~~Urban density—more than one (1) unit per gross acre.~~

27
28 ~~Usable land area—See net acre.~~

29
30 ~~Viable population—any species population that is of sufficient quantity to self-propagate and~~
31 ~~continue in existence without outside intervention.~~

32
33 ~~Water bodies—Wekiva River, the Little Wekiva River, Black Water Creek, Rock Springs Run,~~
34 ~~Sulphur Run, Seminole Creek and Lake Norris.~~

35
36 ~~Waterfront—any lot or parcel bordering on a water body.~~

37
38 ~~Wekiva River Protection Area—means the lands within Township 18 South, Range 28 East;~~
39 ~~Township 18 South, Range 29 East; Township 19 South, Range 28 East, less those lands lying~~
40 ~~west of a line bounded by County Road 437, State Road 46 and County Road 435; township 19~~
41 ~~South, Range 29 East; Township 20 South, Range 28 East, less all lands lying west of County~~
42 ~~Road 435; and Township 20 South, Range 29 East, less all those lands east of Markham Woods~~
43 ~~road.~~

~~Wekiva River System—means the Wekiva River, the Little Wekiva River, Black Water Creek, Rock Springs Run, Sulphur Run, Lake Norris and Seminole Creek.~~

~~Wetland Dependent Wildlife Species—any wildlife species whose life cycle depends in whole or in part on a wetland environment.~~

~~Wetlands—hydrologically sensitive areas identified by the St. Johns River Water Management District regulations and Appendix B, Zoning Regulations, Section 41.58, Lake County Code or the Land Development Regulations as amended from time to time.~~

Policy 1-20.1A: WEKIVA RIVER PROTECTION AREA (WRPA). The County shall regulate the use of land within the WRPA as defined by Florida Statutes, to implement protection policies and regulations that maintain rural density and character in the aggregate, concentrate development farthest from surface waters and wetlands of the Wekiva River System, minimize impacts on water quantity and quality, protecting native vegetation, wetlands, habitat, wildlife and wildlife corridors, and restrict open space areas to conservation and passive recreational uses.

Regardless of the land use designation or zoning classification assigned to any parcel of property located within the Wekiva River Protection Area, no development may be approved upon parcels so located unless the proposed development conforms to the provisions of the Wekiva River Protection Act and the requirements and performance standards adopted pursuant to this Plan. The following policies pertain to the Wekiva River Protection Area:

Policy 1-20.2: Restrict Expansion of Public Facilities and Services within the Wekiva River Protection Area. Lake County shall restrict expansion of services and major arterial roads beyond planned urban areas, unless it can be demonstrated that such services, such as central water and sewer facilities, will have less harmful impacts upon the environment than if they were prohibited. However, such improvements or construction shall follow the path of existing rights-of-way to the greatest practical extent.

Policy 1-20.3: Vested Development within the Wekiva River Protection Area. Land within the Wekiva River Protection Area as defined in ~~Chapter 369~~, the Florida Statutes, ~~Part III~~, may be developed at the density permitted by the zoning classification in place immediately prior to March 12, 1990 and depicted on Map I-5, providing that:

1. A plat of the property based upon the zoning classification in place immediately prior to March 12, 1990, and depicted on Map I-5, has been recorded in the Public Records of Lake County, Florida. The recorded plat property may be developed based upon the zoning density classification in place immediately prior to March 12, 1990.
2. A complete application for site plan approval was filed prior to December 21, 1989, the effective date of ordinance No. 1989-12, which imposed a moratorium on development permit applications within the Wekiva River Protection Area,

1 was based upon the zoning classification in place immediately prior to March 12,
2 1990 and was approved by the County.

- 3
4 3. A complete application for preliminary plat approval was filed prior to December
5 21, 1989, the effective date of Ordinance No. 1989-12, which placed a
6 moratorium on development applications within the Wekiva River Protection
7 Area, and was based upon the zoning classification in place immediately prior to
8 March 12, 1990. A final plat processed after a preliminary plat submitted prior to
9 December 21, 1989, and subsequently approved by the Lake County Board of
10 County Commissioners, shall be subject to the Lake County Code provisions in
11 effect immediately prior to December 21, 1989.
12
- 13 4. Commercial zoning within the Wekiva River Protection Area existing on March
14 12, 1990, is vested for commercial uses and designated on ~~Map I-3, "Future Land~~
15 ~~Use Map" Series~~ the Future Land Use Map, whether or not a site plan has been
16 previously approved and if a site plan has not been previously approved, County
17 approval is required.
18
- 19 5. Application is made to the County for a determination of vested rights.
20

21 Policy 1-20.4: Limit Density and Intensity of Land Use Within the Wekiva River Protection
22 Area. Lake County shall set the following limitations on density within the Wekiva River
23 Protection Area, which are deemed necessary in order to protect and enhance the natural
24 resources contained therein. In order to implement this policy, the overlay districts provided for
25 in this section have been created to restrict permitted density.
26

- 27 1. General Provisions. Land within the Wekiva River Protection Area proposed to
28 be developed at densities higher than allowed under the "A-1-40" Wekiva River
29 Protection Area overlay District 1 and the "A-1-20" Wekiva River Protection
30 Area Overlay District 2 set forth below, must comply with the Development Point
31 Rating System also described below. Such development shall utilize the concept
32 of clustering of units, promote protection of environmentally sensitive areas,
33 concentrate units on those portions of a parcel of land farthest away from publicly
34 owned conservation or preservation lands, and from the surface waters and
35 wetlands of the Wekiva River System and the Wekiva River Protection Area;
36 shall have less impact on natural resources than if developed at lower densities
37 under its overlay district zoning classification; and shall otherwise meet all other
38 requirements of the Lake County Comprehensive Plan, Lake County Land
39 Development Regulations set forth in the Lake County Code, regulations of the
40 St. Johns River Water Management District, regulations of the Florida
41 Department of Environmental Protection, and ~~Chapter 369, the~~ Florida Statutes,
42 ~~the Wekiva River Protection Act.~~ Development shall provide central water and
43 sewer facilities where such facilities are shown to be economically feasible or
44 environmentally necessary, as determined by the County.
45

2. Transfer of Development Rights within the Wekiva River Protection Area. In order to permit the owners of property subject to the limitation on density established herein to utilize the development potential of that property, a system of transferability of development rights is desirable. In order to facilitate such a system, Sending Areas and Receiving Areas are hereby established and identified.

a. Sending Area Number One – “A-1-40” Wekiva River Protection Area Overlay District 1.

Land within the Wekiva River Protection Area, outside the Wekiva River Hydrologic Basin Protection Zones established pursuant to ~~Chapter 473,~~ the Florida Statutes, Section 473.415 and not vested pursuant to Policy 1-20.3, above, shall be allowed a maximum density of one (1) dwelling unit per forty (40) net acres. This shall be known as the “A-1-40” Wekiva River Protection Area Overlay District 1. Density may be increased to a maximum of one (1) dwelling unit per ten (10) net acres through the application of the Development Point Rating System described below.

This area is hereby designated as Sending Area Number One for transferable development rights, as show on ~~Exhibit “A”~~, Map I-4 of the Comprehensive Plan, the Wekiva River Protection Area Transferable Development Rights Sending and Receiving Area Map, attached hereto and incorporated herein. Transferable development rights shall be calculated on the gross density permitted under the zoning classification for the particular sending parcel in place immediately prior to March 12, 1990.

b. Sending Area Number Two – “A-1-20”, Wekiva River Protection Area Overlay District 2.

Land within the Wekiva River Protection Area, outside the Wekiva River Hydrologic Basin Protection Zones established pursuant to ~~Chapter 473,~~ Section 473.415, the Florida Statutes, outside the Mount Plymouth-Sorrento Urban Compact Node, not vested pursuant to Policy 1-20.3 above, and excluding the area described below as Receiving Area Number One, shall be allowed a maximum density of one (1) dwelling unit per twenty (20) net acres. This area is a portion of the “A-1-20” Wekiva River Protection Area Overlay District 2. Density may be increased to a maximum of one (1) dwelling unit per five (5) net acres through the application of the Development Point Rating System described below.

This area is hereby designated as Sending Area Number Two for transferable development rights as shown on ~~Exhibit “A”~~, Map I-4 of the Comprehensive Plan. Transferable development rights shall be calculated on the gross density permitted under the zoning classification for the particular sending parcel in place immediately prior to March 12, 1990.

c. Receiving Area Number One – “A-1-20”, Wekiva River Protection Area Overlay District 2.

Land within the area described below shall have a maximum density of one (1) dwelling unit per twenty (20) net acres and is a portion of the “A-1-20” Wekiva River Protection Area Overlay District 2. Density may be increased to a maximum of one (1) dwelling unit per five (5) net acres through the application of the Development Point Rating System described below. Density may be also increased to a maximum of one (1) dwelling unit per one (1) net acre utilizing the Development Point Rating System in conjunction with the purchase and utilization of Transferable Development Rights from Sending Areas Numbers One and Two.

This area is hereby designated as Receiving Area Number One for transferable development rights as shown on ~~Exhibit “A”~~, Map I-4 of the Comprehensive Plan, and is described as follows:

Beginning at the Southwest corner of Township 18 South, Range 28 East, thence north along the west line of Twp 18 South, Range 28 East to the northwest corner of the South $\frac{1}{2}$ of Section 30, Twp 18 S, R 28E; thence east along the north line of the south $\frac{1}{2}$ of Section 30 to the northeast corner thereof; thence south along the east line of Section 30 to the southeast corner thereof; thence east along the north line of Section 32, Twp 18 S, Range 28E to the centerline of Ranch Road (4—6588); thence south along the centerline of Ranch Road to a point on the north line of the south $\frac{1}{2}$ of Section 32; thence east along the north line of the south $\frac{1}{2}$ of Section 32, and continuing east along the north line of the south $\frac{1}{2}$ of Sections 33 and 34 to the northeast corner of the west $\frac{1}{2}$ of the southwest $\frac{1}{4}$ of Section 34, Twp 18 S, R 28E., which point is on a line with the northerly extension of the centerline of Huff Road (4-5991); thence south along the east line of the west $\frac{1}{2}$ of the southwest $\frac{1}{4}$ of Section 34 to SR 44A and its intersection with the centerline of Huff Road; thence continuing south and southwest along the centerline of Huff Road (4-5991) and west along the centerline of West Huff Road (4-5789) to the west line of Section 4, Twp 19 S, R 28E; thence south along the west line of Section 4 to the southwest corner thereof; thence west along the north line of Section 8, Twp 19 S, R 28E to the northwest corner of the east $\frac{1}{2}$ of said Section 8; thence south along the west line of the east $\frac{1}{2}$ of Section 8 to the south line of said Section 8; thence continuing south along the west line of the northeast $\frac{1}{4}$ of Section 17, Twp 19 S, R 28 E to the southwest corner of the northeast $\frac{1}{4}$ of Section 17; thence east along the south line of the northeast $\frac{1}{4}$ of Section 17 to the east line of Section 17; thence south along the east line of Section 17 to the southeast corner thereof; thence continuing south along the west line of Section 21, Twp 19S, R 28 E to the northwest corner of the south $\frac{1}{2}$ of Section 21; thence east along the north

1 line of the south ½ of Section 21 to the east line of Section 21; thence
2 continuing east along the north line of the south ½ of Section 22, Twp 19
3 S, R 28 E to the east line of Section 22; thence south along the east line of
4 Section 22 to the center line of SR 46; thence southwest and west along
5 the centerline of SR 46 to the east line of Section 28, Twp 19 S, R 28 E;
6 thence north along the east line of Section 28 to the northeast corner
7 thereof; thence west along the north line of Section 28 and along the north
8 line of Section 29, Twp 19 S, R 28E to the northwest corner of Section
9 29; thence north along the west line of Section 20, Twp 19 S, R 28 E to
10 the northwest corner thereof; thence east along the south line of Section
11 17, Twp 19 S, Range 28 E to the southeast corner of the southwest ¼ of
12 the southwest ¼ of Section 17; thence north along the east line of the
13 southwest ¼ of the southwest ¼ Section 17 to the northeast corner of the
14 southwest ¼ of the southwest ¼ of Section 17; thence west along the north
15 line of the southwest ¼ of the Southwest ¼ of Section 17 to the west line
16 of Section 17; thence north along the west line of Section 17 to the
17 northeast corner of the south ½ of Section 18, Twp 19 S, R 28 E; thence
18 west along the north line of the south ½ of Section 18 to the centerline of
19 CR 437; thence north along the centerline of CR 437 to the south line of
20 Twp 18 S, R 28 E; thence west along the south line of Twp 18 S, R 28 E
21 to the point of beginning.
22

23 d. Receiving Area Number Two – Mount Plymouth-Sorrento Urban
24 Compact Node within Wekiva River Protection Area.
25

26 Lands which are within the Mount Plymouth-Sorrento Urban Compact
27 Node and also within the Wekiva River Protection Area Boundary may be
28 developed to a maximum density of five and one-half (5.5) dwelling units
29 per one (1) net acre through the purchase and use of Transferable
30 Development Rights (TDRs) from Sending Areas Numbers One and Two.
31 These lands must utilize the ~~“R-5”~~ “R-6” Residential district, the “RP”
32 Residential Professional district, or the “PUD” Planned Unit Development
33 district, as provided in the Lake County Land Development Regulations,
34 Lake County Code. Any increase in density above that permitted by the
35 zoning classification in place immediately prior to March 12, 1990, shall
36 require the purchase and use of TDRs development rights.
37

38 Lands within the Mount Plymouth-Sorrento Urban Compact Node and
39 outside of the Wekiva River Protection Area Boundary may be developed
40 to a maximum density of five and one-half (5.5) dwelling units per one (1)
41 net acre and shall utilize the development regulations of Lake County
42 which pertain to the Urban land use categories. TDRs will not apply to
43 these lands.
44

This area is hereby designed as Receiving Area Number Two for Transferable Development Rights as shown on Map I-4 of the Comprehensive Plan.

The Mount Plymouth-Sorrento Urban Compact Node is defined as follows:

Sections 24, 25, and 36, Township 19 South, Range 27 East; the Southwest ¼ of the Southwest ¼ of Section 17, Township 19 South, Range 28 East; the South ½ of Section 18, Township 19 South, Range 28 East; all of Sections 19, 28, 29, 30, 31, 32, and 33, Township 19 South, Range 28 East.

Policy 1-20.5: Development Point Rating System and Submittal Requirements for Development Permits within the Wekiva River Protection Area. Where applicable, lands proposed to be developed within the Wekiva River Protection Area shall be evaluated according to the following Development Point Rating System embodied in Tables 1 through 3, in order to be considered for an increase in density. The objectives of these criteria are to:

- Ensure environmental protection;
- Control urban sprawl;
- Maximize land use efficiency;
- Promote the efficient use of public facilities;
- Ensure that services required by development are in place or are programmed concurrent with development impacts; and
- Direct appropriate growth patterns within the Wekiva River Protection Area.

The achievement of density points shall not bind the Lake County Board of County Commissioners to grant an increase in density. The application of the Development Point Rating System criteria and the achievement of points are based upon the location of land within the Wekiva River Protection Area. Not all criteria will be specifically applicable to a parcel of land proposed for development. In addition, the Development Point Rating System will be used as a guide to evaluate all residential project densities during:

1. The review of an application for a development permit initiated by a property owner or an authorized agent.
2. The review of a DRI, pursuant to Florida Statutes.
3. The preparation of any future sector or small area plans.

Table 1: Point System Rating Criteria

Point System Rating Criteria	Points
Submission of Project as a Planned Unit Development (5 points possible)	5
Project is contained wholly within TDR receiving zone outside the Mount	5

Plymouth-Sorrento Urban Compact Node (5 points possible)	
Purchase of TDRs sufficient to reach density of one (1) dwelling unit per net acre (5 points possible)	5
Innovation in Site Design by Providing More Open Space and Protecting Environmentally Sensitive Land than would be protected under existing regulations. (80 points possible)	80
a. Incorporation of pervious Pavement or Grassed Parking	1
b. Preservation of Native Vegetation within the 100 year Floodplain	2
c. Zero Disturbance or Encroachment within the 100 year Floodplain	5
d. Restriction of Intensity of Development Adjacent to Publicly Owned Lands. If property is not adjacent to publicly owned lands, 5 points can be granted. (5 points possible)	5
1. 150 foot buffer	5
2. 100 foot buffer	4
3. 50 foot buffer	3
e. Preservation of existing Native Vegetation (upland and wetland species)	10
f. Use of Native Vegetation in Landscaping	2
g. Buffers on Wetlands (10 points possible)	10
1. 35 feet	10
2. 25 feet	5
3. 10 feet	3
h. Dedication of Natural Areas for Preservation (uplands only – wetlands are already required to be dedicated). (20 points possible)	20
1. 25 percent of each natural upland habitat type	20
2. 10 percent of each natural upland habitat type	15
3. 5 percent of each natural upland habitat type	10
i. Preservation of Existing Hydrological Patterns (surface and ground water). Must demonstrate minimum interruption of surface and ground water flow regime (minimize ground water withdrawals and maximize recharge). (5 points possible)	5
j. Clustering of units to promote common open space, passive recreation, and preservation of environmentally sensitive areas.	10
k. If 70 points are attained, an additional 10 points may be granted.	10
If it can be demonstrated that the development tract or parcel does not have any pre-existing environmental constraints and therefore not afforded the ability to achieve points, the proposed development can receive 67 points. An example of this type of property would be one that has historically (greater than 10 years) been used for citrus production, has no wetlands and no natural upland communities remaining on-site. An additional one (1) point shall be available for incorporation of pervious pavement or grassed parking and an additional two (2) points shall be available for the use of native vegetation in landscaping.	
Contributes to the Expansion of an Existing or Proposed Wildlife Corridor (on or off-site). (10 points possible)	10
Provides Sufficient Habitat for Feeding, Nesting, Roosting, and Resting so as	5

to Maintain Viable Populations of Species Designated Pursuant to Rules 39-27.003, 39-27.004, and 39-27.005, as Endangered, Threatened, or Species of Special Concern Pursuant to the Florida Administrative Code (on or off-site). (5 points possible)	
Provision of Affordable Housing. (5 points possible)	5
a. 15 percent of units for moderate, low, or very low income housing.	5
b. 5 percent of units for moderate, low, or very low income housing.	2
Vehicular access to an Arterial Road with Level of Service (LOS) “C” Average Daily Trips (ADT) or better. Ten points can be granted for making improvements to bring up the Level of Service to LOS “C” <u>LOS to “C.”</u> (10 points possible)	10
a. Directly Adjacent (existing or proposed)	10
b. Within 1 mile via collector (existing or proposed)	7
c. Greater than 1 mile via collector (existing or proposed)	5
d. Less than 2 miles via local road	2
Potable Water Supply. (10 points possible)	10
a. Within an Existing Public Supply System Franchise Area with excess capacity or the creation of a franchise.	10
b. Central system	7
c. Private well	0
Sanitary Sewer Service. (10 points possible)	10
a. Within an Existing Wastewater Treatment Franchise Area with excess capacity or the creation of a franchise.	10
b. Central System	7
c. Innovative septic system	5
d. Septic tank	0
Irrigation Water Supply. (10 points possible)	10
a. Grey water reuse (dual water system)	10
b. Surface water	5
c. Surficial aquifer	2
d. Potable Water	0
Fire Protection. (5 points possible)	5
a. Dedication of land and/or facilities sufficient to meet the requirements of the project.	5
b. Within a fire district having a rating of 7 or better and within 3 miles from a fire station.	3
c. Within a fire district having a rating of 7 or better and more than 3 miles from a fire station.	2
d. Within a fire district having a rating of 8 to 9 and within 3 miles from a fire station.	2
e. Within a fire district having a rating of 8 to 9.	1
Proximity to Public Schools (5 points possible)	5
a. Dedication of sufficient acreage to satisfy the requirements of the Lake County School District (on or off-site).	5
b. Within ½ mile radius of an existing school and linked by sidewalks and/or	5

bicycle paths.	
c. Within ½ mile radius of an existing school.	4
d. Within one mile radius of an existing school and linked by sidewalks and/or bicycle paths.	4
e. Within one mile radius of an existing school.	1
Neighborhood Parks (5 points)	5
a. Within ½ mile radius of a developed park and linked by sidewalks and/or bicycle paths.	5
b. Dedication of parkland and provision of facilities that meet the County's Level of Service. Facility must be open to the general public.	5
c. Dedication of environmentally sensitive lands that is suited for passive recreation.	5
d. Within ½ mile radius of a developed park.	2
e. Within one mile radius of a developed park and linked by sidewalks and/or bicycle paths.	3
f. Within one mile radius of a developed park.	1
Other (5 points possible)	5
The Board of County Commissioners may within its discretion, grant additional points up to a maximum of five (5) points, to developers who opt to provide facilities, land or funds for facilities not specifically identified in the criteria set out above. This provision may also include voluntary impact fees over and above those required by the Lake County Code.	

Table 2: Density Evaluation, A-1-40

Maximum Number of Units *	
Points Scored	Per Net Developable Acre
≥ 120 —160	1 per 10 acres
100 – 119	1 per 20 acres
70 – 99	1 per 30 acres
<70	1 per 40 acres
* The one (1) unit per forty (40) net developable acres category contains a maximum of 160 possible points. (“A-1-40”)	

Table 3: Density Evaluation, A-1-20

Maximum Number of Units *	
Points Scored	Per Net Developable Acre
≥ 140 —175	1 per 1 acres
130 – 139	1 per 1.5 acres
110 – 129	1 per 2 acres
100 – 109	1 per 3 acres
80 – 99	1 per 4 acres

60 – 79	1 per 5 acres
50 – 59	1 per 10 acres
<49 50	1 per 20 acres
* The one (1) unit per twenty (20) net developable acres category contains a maximum of 175 possible points. (“A-1-20”)	

18. ~~In addition to the above review of a proposed development, the performance incentives will be used as a guide to evaluate all residential project densities during:~~

- ~~1. The review of an application for a development permit initiated by a property owner or an authorized agent.~~
- ~~2. The review of a Development of Regional Impact (DRI), pursuant to Chapter 380, Florida Statutes.~~
- ~~3. The preparation of any future or small area plans.~~

SUBMITTAL REQUIREMENTS FOR DEVELOPMENT PERMITS WITHIN THE WEKIVA RIVER PROTECTION AREA.

The following information shall be submitted in narrative or graphic form, or both, as appropriate, as part of the application for a development permit within the Wekiva River Protection Area. The information is supplemental to any other submittal requirements contained in the Lake County Code.

1. General Information:

- A. Legal Description and Location Map.
- B. Property survey showing the location of Wekiva River Hydrologic Basin Protection Zones.
- C. Soil Classifications.
- D. Surface and ground water hydrology and hydrogeology.

2. Wetlands and Uplands:

- A. Type and percent of biological communities existing on site and described using the Florida Land Use and Cover Classification System (FLUCCS).
- B. A typical vegetative inventory of the following:
 1. Overstory or canopy (trees)
 2. Understory or sub-canopy (shrubs, small trees)
- C. A typical animal/wildlife inventory using methodology of the Florida Fish and Wildlife Conservation Commission.
 1. Mammals
 2. Birds
 3. Reptiles

- 1 4. Fish
2 D. Pre and post-development acreage/percent of wetlands and uplands.
3 E. Monitoring programs (ongoing) for wetland and upland systems.
4 F. Borrow and fill requirements.
5

6 **3. Wildlife Corridors (U.S. Fish and Wildlife Criteria):**
7

- 8 A. Pre and post-development acreage of corridors.
9 B. Impact of development on corridors.
10 C. Proposed management, monitoring and maintenance measures for
11 protection of corridors.
12

13 **4. Designated Wildlife and Vegetation:**
14

- 15 A. List designated ~~wildlife species~~ as specified in ~~Chapter 39, Sections 39-~~
16 ~~27003, 39-27.004, and 39-27.005~~, the Florida Administrative Code as
17 Endangered, Threatened, or Species of Special Concern.
18 B. List vegetation specified in ~~Section 581.185(5)(a), (b)~~, the Florida
19 Statutes.
20 C. Pre and post-development acreage of designated vegetation and wildlife.
21 D. Plan for protection of designated plant and animal species.
22

23 **5. Buffers:**
24

- 25 A. Building setbacks from:
26 1. Wetlands
27 2. Uplands
28 3. Wildlife corridor
29 4. Publicly owned conservation/preservation lands
30 5. Wekiva River or other surface water bodies
31 B. Acreage of Buffers
32 C. Types of buffers, i.e.; vegetative (trees, shrub, or combination), masonry,
33 fence, berms, etc.
34 D. Use within buffers (i.e.; parks, recreational boardwalks, nature trails, bike
35 paths, non-use, etc.)
36 E. Percent/Acreage of property dedicated to County for conservation
37 easements or deeded to County for public purpose.
38

39 **6. Water Resource Management:**
40

41 Complete statement and calculations of the following:

- 42 A. Water quality and quantity for both pre and post-development.
43 1. hydrological and hydrogeologic evaluation of development
44 including karst features and aquifer vulnerability

2. plans for conservation of potable water such as reuse of waste water (treated effluent and/or grey water including use of natural vegetation to reduce irrigation needs)
3. recharge and discharge areas/recharge mechanisms
4. potential contamination and abatement procedures
5. use of underdrains/side drains
6. degree of ~~salt~~ saline water ~~encroachment~~ in the Floridan Aquifer

7. Air Quality:

- A. Residential Emission Sources (fireplaces, type of heat-oil, gas, heat pump)
 - ~~1. Residential (fireplaces, type of heat oil, gas, heat pump)~~
- B. Monitoring Plans/Mechanisms

8. Storm and Waste Water Management:

- A. Stormwater
 1. Calculations
 2. Retention/detention design
 - a. Type of system (wet, dry, on-line, off-line, etc.)
 - b. Pond/Swale
 - (1) Volume
 - (2) Elevations
 - (3) Overflow mechanisms
 - (4) flood elevations
 - (5) discharge point (internal, to tributary of Wekiva River, or to Wekiva River)
 - c. Culvert, pipe, channel hydraulics
 - d. Soil borings
 - e. Energy dissipation/erosion and sediment control measures.
 - (1) Grading/drainage plan
 - (a) Materials Used (pervious/impervious)
 - (b) Percent pervious/impervious surface
 - (2) Monitoring plans/mechanisms
- B. Wastewater
 1. Collection
 - a. Pump stations
 - (1) wet well water level control elevations
 - (2) emergency pump connection
 - (3) backup pump (at least two pumps total in pump station)
 - (4) Elevation above 100-year flood elevation
 - b. Gravity lines
 - (1) slopes
 - (2) clearance from water lines

2. Treatment System
 - a. Type (septic-conventional/non-conventional, on-site-low pressure, etc., package plant on-site/off-site, regional plant-on-site/off-site)
 - b. Siting
 - (1) relation to 100-year flood elevation
 - (2) adjacent property
 - c. Plant
 - (1) general process
 - (2) bypass
 - (3) Hydraulic profile
 - (4) Flow diagram
3. Effluent disposal method
 - a. Sprayfield
 - b. Percolation pond
 - c. Reuse
 - d. Wetland
 - (1) Location of disposal area
 - (2) Analysis
 - (a) soil report
 - (i) soil type
 - (ii) ground water depth
 - (iii) K factor
 - (iv) Confining layers
 - (b) impact on ground water quality/quantity
4. Design
 - a. Application
 - b. Load/rest schedule
 - c. Pond on steep slope
 - (1) dam design for berms; seepage prevention
 - (2) rip rap for influent flow
 - d. pond bottom compared to soil profile
 - e. overflow
 - f. elevations
 - g. buffers
 - h. nearby potable wells
5. Monitoring wells
 - a. background – upstream
 - b. compliance downstream

9. Potable Water System:

- A. Type (individual wells, package plant, regional plant)
- B. Location (on-site, off-site)
- C. Withdrawal rate/consumptive use
- D. Treatment Methods

1 E. Impact on aquifers
2

3 Policy 1-20.6: Non-Exempt Parcels. Parcels of lands within the Wekiva River Protection Area,
4 not exempted due to a determination of vested rights, under single ownership and twenty (20) or
5 forty (40) acres or less in total area, depending upon the land's location within the Wekiva River
6 Protection Area, as of March 12, 1990, shall be allowed a maximum of one (1) dwelling unit
7 provided that a minimum of 12,500 square feet is not classified as open waterbodies and
8 wetlands under the jurisdiction of Lake County or St. Johns River Water Management District,
9 or within the Wekiva River Basin Riparian Habitat Protection Zone established pursuant to
10 ~~Chapter 373, the Florida Statutes, Section 373.415~~ or designated flood prone areas by the Federal
11 Emergency Management Administration. Any easement existing on a parcel of land under this
12 policy may be utilized in the calculation of the required minimum area of 12,500 square feet.
13

14 Policy 1-20.7: Wekiva System Setbacks. The following minimum setback requirements from
15 wetlands and water bodies shall apply to all development activity proposed within the Wekiva
16 River Protection Area, as appropriate:
17

- 18 1. Land proposed to be developed under Policy 1-20.3, Vested Development within
19 the Wekiva River Protection Area, or Policy 1-20.6, Non-Exempt Parcels, on the
20 Wekiva River, Blackwater Creek, Sulphur Run, Seminole Creek and Lake Norris:
21
 - 22 a. Those lands subject to the setback requirements of the St. Johns River
23 Water Management District, established pursuant to ~~Section 373.415~~ the
24 Florida Statutes, shall conform to said setbacks.
25
 - 26 b. Where setbacks for such development activity are not regulated by the St.
27 Johns River Water Management District, the following minimum setbacks
28 shall be established: 200 feet from the ordinary high water mark, 50 feet
29 from associated wetlands, or as provided in the Lake County Code or
30 Land Development Regulations, whichever is farther.
31
- 32 2. Land proposed to be developed under Policy 1-20.4, Limit Density and Intensity
33 of Land Use within the Wekiva River Protection Area, on the Wekiva River,
34 Blackwater Creek, Sulphur Run, Seminole Creek, and Lake Norris:
35
 - 36 a. Minimum setbacks shall conform to those required by the St. Johns River
37 Water Management District, established pursuant to ~~Section 373.415~~, the
38 Florida Statutes.
39
 - 40 b. Where setbacks for such development activity are not regulated by the St.
41 Johns River Water Management District, the following minimum setbacks
42 shall be established: 200 feet from the ordinary high water mark, 50 feet
43 from associated wetlands, or as provided in the Lake County Code,
44 whichever is farther.
45

1 Policy 1-20.8: Restrictions on Land Adjacent to Conservation or Preservation Area. No land
2 adjacent to publicly owned conservation or preservation areas within the Wekiva River
3 Protection Area shall be developed for commercial or industrial uses.

4
5 Policy 1-20.9: General Prohibitions: Parcels of land adjacent to the surface waters and
6 watercourses of the Wekiva River System, including the Wekiva River, Black Water Creek,
7 Sulphur Run, Lake Norris, and Seminole Creek, shall not be subdivided so as to interfere with
8 the implementation of protection zones as established pursuant to Section 373.415, Florida
9 Statutes; any applicable setbacks from the surface waters and wetlands in the Wekiva River
10 System and in the Wekiva River Protection Area which are established by Lake County; or the
11 policy requiring the concentration of development in the Wekiva River Protection Area as far
12 from the surface waters and wetlands of the Wekiva River System as practicable.

13
14 Policy 1-20.10: Lakeshore and Waterfront Development. Lakeshore and waterfront
15 development shall occur in a manner which will enhance its natural character, avoid damage to
16 indigenous environmental factors and assure an adequate amount of public access to waterfront
17 and lakeshore areas within the limits defined by the environmental requirements of Lake County
18 Land Development Regulations, the St. Johns River Water Management District and other state,
19 regional and local agencies having jurisdiction over such areas.

- 20
21 A. Industrial or commercial uses shall not be permitted adjacent to water bodies.
22
23 B. Purchase waterfront areas and islands for public use when identified as an
24 environmentally sensitive resource ~~through listing as a C.A.R.L. project.~~
25
26 C. Require environmental surveys to be conducted in accordance with a County
27 approved methodology to assess the impacts of waterfront development on
28 ground and surface water quality, quantity, and hydrology; native and endangered
29 vegetation and wildlife species; wetlands and associated uplands before granting
30 approval of the proposed development. ~~This policy shall apply to proposed~~
31 ~~developments requiring approval by Lake County pursuant to Appendix C,~~
32 ~~Subdivision Ordinance, or the "PUD" Planned Unit Development District~~
33 ~~regulations, Section 696, Lake County Code.~~
34
35 D. Utilize the Planned Unit Development approach to waterfront development
36 wherever appropriate in order to maintain the best possible controls over such
37 developments.
38
39 E. Require setbacks in conformance with Chapter 40C-41, F.A.C. and those of the
40 Lake County Comprehensive Plan, and Land Development Regulations to ensure
41 safety, protect environmental factors and conserve public shores as established by
42 local, State and Federal agencies to protect environmental factors and conserve
43 public and private waterfront areas.
44

1 Policy 1-20.11: Location of Commercial Development: Commercial areas shall be developed in
2 clearly defined complexes, harmoniously related to surrounding land use, traffic flow and the
3 Lake County Comprehensive Plan.

4
5 ~~A. Expressway interchanges within the Wekiva River Protection Area shall be~~
6 ~~developed as Planned Units under the Public Facilities District (PFD) classification as~~
7 ~~contained in the Lake County Code.~~

8
9 A. Commercial Zoning District within the Wekiva River Protection Area existing on
10 March 12, 1990, is vested for commercial use whether or not a site plan has been
11 previously approved, and if a site plan has not been previously approved, County
12 approval is required.

13
14 B. Commercial and Industrial uses permitted in the Wekiva River Protection Area,
15 are depicted on the "Future Land Use Map" ~~Series (Map I-3)~~. Commercial and
16 Residential uses are permitted in the Industrial Land Use category when the
17 alternate use shall result in a reduction in density or intensity.

18
19 C. Commercial development within the Wekiva River Protection Area, except as
20 provide in subsection B above, shall be discouraged. Such development shall be
21 restricted to the following intersections;

22
23 SR 44 and CR 473;
24 CR 44A and CR 437;
25 SR 46 and CR 437;
26 SR 44 in the vicinity of the Royal Trails subdivision;
27 SR 46 and CR 435.

28
29 Commercial development shall not exceed two (2) acres in the aggregate at each
30 intersection, and shall be developed under the "CP" Planned Commercial zoning
31 classification as contained in the Lake County Code. Limited commercial
32 development will also be considered in the Pine Lakes and Cassia areas when
33 densities increase and a small area study conducted by the Lake County ~~Planning~~
34 Growth Management Department determines the need for such development. A
35 land use plan amendment shall be processed pursuant to Chapter 163, Florida
36 Statutes, to permit any commercial uses in the Pine Lakes and Cassia areas.
37 Commercial development will also be allowed as a part of a "PUD" Planned Unit
38 Development, which shall be located interior to the PUD, in increments of one (1)
39 acre per 500 dwelling units. No commercial uses shall be considered in the
40 vicinity of the proposed interchange of the proposed northwest beltway until the
41 completion of the beltway interchange, and after a small area study to determine
42 appropriate uses and locations has been conducted by the Lake County ~~Planning~~
43 Growth Management Department. A land use plan amendment shall be processed
44 pursuant to Chapter, 163, Florida Statutes, to permit any commercial uses in the
45 vicinity of the proposed interchange.

- 1 D. Commercial facilities may be permitted, operated or leased by local, State or
2 Federal agencies or established non-profit entities on conservation or preservation
3 lands which are owned by the public or such non-profit entity. Such uses shall be
4 related solely to the use and enjoyment of such lands by the public.
5

6 Policy 1-20.11A: Location of School Facilities within the Wekiva River Protection Area.
7 Notwithstanding any other provision of this Comprehensive Plan, in order to limit the intensity
8 of structures and facilities, additional school facilities shall not be allowed within the Wekiva
9 River Protection Area A-1-20 and A-1-40 Overlay Districts.
10

11 Policy 1-20.12: Industrial Development. Industrial development shall be prohibited within the
12 Wekiva River Protection Area.
13

14 Policy 1-20.13: Maintenance of Open Space System. An open space system shall be maintained
15 to serve the needs of people and shall range from neighborhood to regional scale. Such system
16 shall also include recreation and conservational elements and shall conform to open space
17 requirements of residential (~~25%~~ 50%) and commercial (~~20%~~ 35%).
18

- 19 A. Establish flood zones along streams or rivers. Such flood zones shall qualify for
20 open space requirements. Regulate the use of flood prone areas for purposes
21 compatible with the hydrological character of the area. Recreation and water
22 storage are beneficial uses of flood prone areas.
23

- 24 B. ~~Forbid~~ Prohibit building within swamps and marshes, except in accordance with
25 the Comprehensive Plan Policy 1-2.1 and policies found within the Conservation
26 Element, the Lake County Code, or in accordance with a wetland
27 alteration/mitigation plan approved by Lake County.
28

- 29 C. Require all structures to have floor elevations at least eighteen (18) inches above
30 the 100-year flood plain, and also require all public improvements such as roads,
31 sewer and water lines, etc. to be designed to meet the criteria of the Flood
32 Disaster Act of 1973, Public Law 93-234 and other applicable Federal, State and
33 local requirements.
34

- 35 D. Native vegetation within the 100-year flood plain in the Wekiva River Protection
36 Area shall be preserved to the greatest extent possible. Therefore, clearing of
37 native vegetation shall be limited to only those areas approved in accordance with
38 a vegetation survey and protection plan submitted to and approved by Lake
39 County, with the exception of those areas devoted to agricultural uses as specified
40 under Policy 1-20.15 and 1-20.16 of this Future Land Use Element and those
41 activities necessary for normal yard maintenance.
42

43 Policy 1-20.14: Consideration of Environmental Factors. Full consideration shall be given to
44 environmental factors within Lake County as they pertain to land use. ~~A-~~ The County shall
45 work towards establishing and maintaining the natural state of the Wekiva River System and the
46 Wekiva River Protection Area.

1
2 Policy 1-20.15: Agricultural Uses. Recognizing agriculture as an important and necessary
3 economic activity within Florida and Lake County, adequate and appropriate land and water
4 shall be reserved for its continuance. Agriculture is also recognized as a legitimate and
5 productive use of lands within the Wekiva River Protection Area.
6

7 A. All lands within the Wekiva River Protection Area presently in use for a
8 particular form of agriculture, such as grazing, row crops, fruit production or
9 other agricultural uses of comparable agronomic or cultural intensity, may
10 continue to be used in the same manner.
11

12 B. The clearing of land for commercial agricultural uses within the Wekiva River
13 Protection Area ~~will~~ may be permitted outside of protection zones, provided that
14 the following minimum conditions are met and approved by ~~the Board of County~~
15 ~~Commissioners~~ the County Manager or designee through a process established in
16 the Land Development Regulations:
17

- 18 1. *A notice of intent shall be provided to Lake County prior to any clearing*
19 *for agricultural uses. This notice of intent shall include as a minimum: a*
20 *description of the land to be converted including the area, location,*
21 *vegetation; the surface hydrological conditions; the crop or livestock*
22 *enterprise intended; and a time schedule for the proposed activity.*
- 23 2. An agricultural plan shall be presented demonstrating the suitability of the
24 land for the proposed use. Such a plan may be prepared directly by the
25 applicant, a consultant, or the U.S. Department of Agriculture, ~~Soil~~
26 Natural Resources Conservation Service. The plan shall conform to best
27 management practices recommended by the U.S. Department of
28 Agriculture, ~~Soil~~ Natural Resources Conservation Service.
- 29 3. Approval shall have been received by any regulatory agencies having
30 jurisdiction.
31

32 Policy 1-20.16: Silviculture in Wekiva River Protection Area. Silviculture is recognized as a
33 legitimate and productive use of lands within the Wekiva River Protection Area.
34

35 A. All areas currently in use for the production of pine trees, or other trees not found
36 in wetlands, may continue to be used in the same manner.
37

38 B. Before harvesting cypress, or other species of trees found in wetland areas, for all
39 parcels of land one (1) acre or more, cumulative over a one (1) year period from
40 date of initial harvesting, a notice of intent must be approved by the Board of
41 County Commissioners through a process established in the Land Development
42 Regulations. At a minimum, the notice of intent shall include a description of the
43 land to be harvested, including the area, location, vegetation, surface hydrological
44 condition and a time schedule for the harvesting activity.
45

- 1 C. A harvesting plan shall be presented demonstrating the suitability of the timber
2 for harvesting. Such a plan may be prepared directly by the applicant, the Florida
3 Division of Forestry, or a consultant.
4
- 5 D. The harvesting plan shall conform to the most current Best Management Practices
6 recommended by the Florida Division of Forestry.
7
- 8 E. Tree removal on lands classified as bona fide agricultural land for ad valorem
9 taxation purposes pursuant to Section 193.461, Florida Statutes, is exempt from
10 these provisions. All silviculture activities, however, shall comply with
11 “Silviculture Best Management Practices” developed by the Florida Department
12 of Agriculture and Consumer Services, Division of Forestry and “Protecting
13 Florida’s Springs-Land Use Planning Strategies and Best Management Practices”
14 (DCA/DEP).
15
- 16 F. Only low intensity long crop rotation silviculture shall be used in Primary
17 Springshed Protection Zones.
18

19 ~~Policy 1-20.17: Definition of the Mount Plymouth Sorrento Urban Compact Node. The Mount~~
20 ~~Plymouth Sorrento Urban Compact Node is defined as follows: Sections 24, 25, and 36,~~
21 ~~Township 19 South, Range 27 East; the Southwest ¼ of the Southwest ¼ of Section 17,~~
22 ~~Township 19 South, Range 28 East; the South ½ of Section 18, Township 19 South, Range 28~~
23 ~~East; all of Sections 19, 28, 29, 30, 31, 32 and 33, Township 19 South, Range 28 East.~~
24

25 ~~Policy 1-20.18: Review of the Lake County Comprehensive Plan and Land Development~~
26 ~~Regulations in the Wekiva River Protection Area. By 1996, the County shall review the~~
27 ~~Comprehensive Plan and the Land Development Regulations which effect the Wekiva River~~
28 ~~Protection Area in Lake County for their effectiveness in meeting the requirements of Section~~
29 ~~369.301, Florida Statutes and shall, if necessary, and the Comprehensive Plan and Land~~
30 ~~Development Regulations.~~
31

32 OBJECTIVE 1-21: LAND USE ISSUES RELATED TO CONSERVATION OF
33 WATER RESOURCES, WETLANDS, FLOODPLAINS, NATURAL HABITATS,
34 NATURAL VEGETATION, ENVIRONMENTALLY SENSITIVE AREAS, AND
35 MINING ACTIVITIES. Within the Wekiva River Protection Area, Lake County shall
36 protect the features of the natural environment through the following Policies.
37

38 Policy 1-21.1: Surface and Subsurface Hydrology. The hydrology of a site should be utilized in
39 determining land use as opposed to land use determining hydrology. This would entail
40 discouraging any land use that would significantly alter surface and subsurface water levels and
41 have an adverse effect on the environment, unless such impacts can be successfully mitigated in
42 accordance with accepted mitigation policies and practices. Such mitigation shall be subject to
43 approval by Lake County.
44

45 Policy 1-21.2: Reduction of Density of Waterfront Development. Lake County shall implement
46 policies aimed at controlling the density of waterfront development.

1
2 Policy 1-21.3: Protection of the Water Quantity, Water Quality and Hydrology of the Wekiva
3 River System. Special consideration shall be given to the protection of the water quantity, water
4 quality and hydrology of the Wekiva River System as defined in ~~Chapter 369, Part III, Florida~~
5 ~~Statutes~~ the Wekiva River Protection Act.

6
7 Policy 1-21.4: Restriction of Development within the Floodplain. Floodplain maps prepared by
8 FEMA shall be used in the development of the theory of the people water principle: in existing
9 urbanized areas, keep the water from interfering with the people. In all other areas, keep the
10 people from interfering with the water.

11
12 Policy 1-21.5: Protection and Conservation of Wetland Areas. Lake County shall implement
13 policies, which are aimed at protecting and conserving wetland areas.

14
15 Policy 1-21.6: Protection of Wetlands and Wetlands Systems. It is the intent of the Lake County
16 Board of County Commissioners to protect wetlands and wetlands systems to the maximum
17 extent possible, within the limitations contained in the Lake County Code and Land
18 Development Regulations. In furtherance of this intent, it shall be the policy of Lake County
19 BCC that regulations governing the alteration of wetlands or the mitigation of such alteration,
20 within the Wekiva River Protection Area shall apply to all development as defined in the Lake
21 County BCC Code and Land Development Regulations, and to agricultural and silvicultural
22 activities, as well.

23
24 Policy 1-21.7: Preservation of Natural Habitats within the Wekiva River Protection Area.
25 Preserve natural habitats essential to any animals or plants designated as endangered, threatened,
26 or species of special concern pursuant to ~~Chapter 39, Sections 39-27.003, 39-27.004, and 39-~~
27 ~~27.005, the Florida Administrative Code and Section 581.185(5)(a) and (b), the Florida Statutes,~~
28 particularly as they apply to the Wekiva River Protection Area. The preservation of such habitat
29 shall ensure sufficient habitat exists for feeding, nesting, roosting, resting, traveling and
30 migration, so as to maintain viable populations of those species listed.

31
32 Policy 1-21.8: Preservation of Native Vegetation within the Wekiva River Protection Area.
33 Native vegetation within the Wekiva River Protection Area shall be preserved to the greatest
34 extent possible. Therefore, clearing of native vegetation shall be limited to only those areas
35 approved in accordance with a vegetation survey and protection plan submitted to, and approved
36 by, Lake County, with the exception of those areas devoted to agricultural uses as specified
37 under Policy 1-20.15 Agricultural Uses and 1-20.16: Silviculture in Wekiva River Protection
38 Area and those activities necessary for normal yard maintenance.

39
40 Policy 1-21.9: Protection of Aquatic and Wetland-dependent Wildlife Species Associated with
41 the Wekiva River System. Aquatic and wetland-dependent wildlife species associated with the
42 Wekiva River System shall be ~~protected~~ achieved through the protection of wetlands, associated
43 habitat and aquatic systems.

44
45 Policy 1-21.10: Mining Activities within the Wekiva River Protection Area. New mining
46 activities shall be prohibited within the Wekiva River Protection Area. Expansion of existing

1 mining activities within the Wekiva River Protection Area shall be subject to the provisions of
2 the Lake County Code and the approval of the Board of County Commissioners.

3
4 The excavation of borrow pits within the Wekiva River Protection Area may be permitted only
5 after approval by the Board of County Commissioners. It is the intent herein to limit the
6 excavation of borrow pits to those necessary for the construction of or improvement to highways
7 or other public works projects within the Wekiva River Protection Area.

8
9 OBJECTIVE 1-22: PRESERVE THOSE ENVIRONMENTALLY SENSITIVE AREAS
10 IDENTIFIED IN ENVIRONMENTAL STUDIES AND REPORTS. Lake County shall
11 preserve those environmentally sensitive areas identified in environmental studies and
12 reports sponsored or approved by the Board of County Commissioners in order to
13 safeguard Lake County's resources for present and future residents and particularly those
14 areas within the Wekiva River Protection Area.

15
16 Policy 1-22.1: Encourage Acquisition of Environmentally Sensitive Areas. Lake County shall
17 support and actively encourage acquisition of Environmentally Sensitive Areas by donation or
18 purchase by Federal, State or units of local government and non-profit groups that would
19 preserve them in their natural state. The County shall utilize revenue bonds from the Lake
20 County Land Acquisition program and partner to the greatest extent possible with the
21 aforementioned entities to acquire, or assist in the acquisition of, environmentally sensitive land
22 for permanent preservation.

23
24 ~~Policy 1-22.2: Funding Mechanism to Acquire Environmentally Valuable Lands. In support of~~
25 ~~the preservation of the natural systems of the Wekiva River Protection Area, by 1993, the Board~~
26 ~~of County Commissioners shall establish a funding mechanism to acquire or to assist in the~~
27 ~~acquisition of, environmentally valuable lands. Such mechanism shall be established with the~~
28 ~~approval of the electorate of Lake County BCC through a referendum consistent with the policies~~
29 ~~in the Conservation and Recreation Element.~~

30
31 Policy 1-22.2: Wild and Scenic River Designation: Lake County shall participate in functions of
32 the federal Wekiva River System Advisory Management Committee, established pursuant to
33 designation of the Wekiva River System as a Wild and Scenic River. The County shall support
34 purposes of the committee, including development of a management plan for the Wekiva River
35 System and advising the United States Department of the Interior with respect to management
36 responsibilities for the Wekiva River System consistent with the Federal Wild and Scenic Rivers
37 Act.

38
39 Policy 1-22.3: Provision Of Activity Based Recreation Facilities. Lake County shall provide
40 recreational areas in such a manner that activity based facilities will be located in urban areas and
41 urban compact nodes.

42
43 OBJECTIVE 1-23: DISCOURAGEMENT OF PRACTICES THAT DEplete
44 POTABLE WATER SUPPLIES AND THE PROMOTION OF CONSERVATION
45 PRACTICES. Lake County shall discourage wasteful practices that would deplete
46 supplies of potable water and shall promote conservation practices.

1
2 Policy 1-23.1: Provision of Central Water Systems within the Wekiva River Protection Area.
3 Central Water Systems shall be required within the Wekiva River Protection Area where
4 provision of such a system is shown to be ~~economically feasible and~~ environmentally necessary,
5 as determined by the County. The development of a regional water supply system is encouraged
6 in order to augment the feasibility and desirability of providing central water supply facilities
7 consistent with policies in the Potable Water Sub-element for service to occur within the Mount
8 Plymouth-Sorrento Urban Compact Node when densities are such that centralized services are
9 feasible.

10
11 ~~Policy 1-23.2: Central Water System within the Wekiva River Hydrologic Basin Protection~~
12 ~~Zones. The provision of a Central Water System within the Wekiva River Hydrologic Basin~~
13 ~~Protection Zones shall be required by the year 2000 or earlier if economically feasible. Such~~
14 ~~provision shall be through public or private sources, or a combination thereof and shall be~~
15 ~~utilized where sufficient density can be attained (making centralized facilities cost effective)~~
16 ~~through application of the density point rating system (in a cluster development).~~

17
18 Policy 1-23.1A: Protection of Ground and Surface Waters. Lake County shall protect the
19 normal quantity, quality, and flow of ground and surface water, which are necessary for the
20 protection of resources of State and regional concern including designated areas such as the
21 Wekiva River Protection Area and Wekiva Study Area.

22
23 OBJECTIVE 1-24: SEWAGE TREATMENT AND DISPOSAL FACILITIES. Lake
24 County shall encourage the development of sewage handling and disposal facilities that
25 utilize the best available technology in order to minimize any detrimental effect to the
26 environment.

27
28 Policy 1-24.1: Provision of Sewer Water Systems within the Wekiva River Protection Area.
29 Central sewer systems shall be required within the Wekiva River Protection Area where
30 provision of such system is shown to be ~~economically feasible and~~ environmentally necessary, as
31 determined by the County. The development of a regional sewage treatment system is
32 encouraged in order to augment the feasibility and desirability of providing central sewage
33 treatment facilities consistent with policies in the Potable Water Sub-element for service to occur
34 within the Mount Plymouth-Sorrento Urban Compact Node when densities are such that
35 centralized services are feasible.

36
37 ~~Policy 1-24.2: Central Sewer System within the Wekiva River Hydrologic Basin Protection~~
38 ~~Zones. The provision of a central sewer system within the Wekiva River Hydrologic Basin~~
39 ~~Protection Zones shall be required by the year 2000 or earlier if feasible. Such provision shall be~~
40 ~~through public or private sources, or a combination thereof and shall be utilized where sufficient~~
41 ~~density can be attained (making centralized facilities cost effective) through application of the~~
42 ~~density point rating system (in a clustered development).~~

43
44 ~~OBJECTIVE 1-25: PROVISION OF ACTIVITY BASED RECREATION FACILITIES.~~
45 ~~Lake County shall provide recreational areas in such a manner that activity based~~
46 ~~facilities will be located in urban areas and urban compact nodes.~~

1
2 ~~Policy 1-25.1: Acquisition of Open Space Areas. Open space areas shall be acquired, if~~
3 ~~economically feasible, in advance of urban encroachment in order to ensure their continued value~~
4 ~~as open space. These open space areas include those “buffers” as identified in the Conservation~~
5 ~~Element of the Lake County Comprehensive Plan; and the environmentally sensitive lands of the~~
6 ~~Wekiva River Protection Area.~~

7
8 OBJECTIVE 1-25: Wekiva Study Area (WSA). The County shall regulate the use of
9 land within the Wekiva Study Area, as defined by Florida Statutes, through land use
10 strategies that protect and preserve the function of natural resources within the Wekiva
11 Study Area, including but not limited to springs, springsheds, karst features, most
12 effective recharge areas, sensitive natural habitats, wetlands, wildlife, and wildlife
13 corridors. It is the intent of this section to supplement the provisions contained in this
14 Comprehensive Plan relative to portions of the Wekiva Study Area that include the
15 Wekiva River Protection Area.

16
17 Regardless of the land use designation or zoning classification assigned to any parcel of
18 property located within the Wekiva Study Area, no development may be approved upon
19 parcels so located unless the proposed development conforms to the provisions of the
20 Wekiva Parkway and Protection Act and the requirements and performance standards
21 adopted pursuant to this Plan. The following policies pertain to the Wekiva Study Area.

22
23 Policy 1-25.1: Surveys and Studies. The County shall require for applications for rezonings, site
24 plans, plats or development within protected recharge areas, most effective recharge areas, areas
25 more vulnerable to contamination or springsheds that a site specific hydrogeologic and
26 geotechnical report be submitted to determine the hydrogeologic character of a site. At a
27 minimum this report shall be prepared by a qualified Professional Geologist or Engineer and
28 shall identify all surface and sub-surface features that could be potential pathways for
29 contamination to enter the Floridan aquifer. At a minimum, this report shall address waste water
30 disposal, recharge, water supply, and potential locations of stormwater management facilities.
31 Borings shall be performed at potential locations of waste water disposal areas and stormwater
32 management facilities sufficiently deep enough to characterize the subsurface and confining unit.
33 The overburden material shall be characterized (grain size, percent organic matter, etc.) to
34 determine its permeability, filtering capacity and ability to bind pollutants. Size threshold
35 requirements for the hydrogeologic survey shall be established in the LDRs and based on the size
36 of the project.

37 The information contained in the hydrogeologic survey shall be used to establish setbacks, use of
38 karst features, buffers, open space and other best practices to minimize development impacts.
39 Site stormwater and effluent disposal systems will only be allowed in locations with the greatest
40 depth of overburden and the least potential for contaminants entering the aquifer.

41
42 A comparative nitrogen loading analysis for the proposed development shall be prepared using
43 professionally acceptable methodology based on the existing land use activity versus the
44 proposed land use activity at build out. The analysis may take into account specific on-site best
45 management practices and compensatory treatment for nitrogen reduction both on and off-site.

1 The analysis must demonstrate, with all factors taken into account, that there shall be no increase
2 in nitrogen loading to ground water or surface water.

3
4 Policy 1-25.2: Land Use Strategy within the Wekiva Study Area (WSA) and Outside the
5 Wekiva River Protection Area (WRPA). The Wekiva Parkway and Protection Act recognizes
6 both clustering and low density rural development as strategies applicable to the protection of
7 natural resources within the WSA. Consistent with this, and in order to provide for responsible
8 growth management boundaries that respect the integrity of urban and rural areas, the County
9 shall adopt the following overlay districts and provisions within that portion of the WSA located
10 outside the WRPA. No provision contained herein shall be construed as a right to develop at the
11 maximum density or intensity described or a guarantee that a requested zoning or land use shall
12 be granted. Additional conditions to ensure the protection of natural resources and community
13 character may be incorporated into the Land Development Regulations.

14
15 1. Wekiva Transitional District

16
17 The Wekiva Transitional Overlay District is hereby established and identified in
18 Figure 2. It is the intent of this district to promote the use of clustering while
19 providing for transitional densities and intensities between designated rural lands
20 and the urban areas associated with Mount Dora, Eustis and Mount Plymouth-
21 Sorrento. Land within the Wekiva Transitional District, and not otherwise vested
22 may be allowed to develop at a maximum residential density of one (1) dwelling
23 unit per one (1) net acre. Proposed development exceeding ten (10) acres in size
24 and having a density greater than one (1) dwelling unit per five (5) net acres shall
25 be required to utilize PUD zoning and protect a minimum 50% of the net
26 buildable area as open space. Residential development consistent with the
27 Wekiva Traditional Rural District may also be permitted within this district. Non-
28 residential uses within this district shall protect a minimum of 35% of the net
29 buildable area as open space.

30
31 2. Wekiva Traditional Rural District

32
33 The Wekiva Traditional Rural Overlay District is hereby established and as
34 identified in Figure 2. It is the intent of this district to promote the viability of
35 rural communities and protect natural resources of the WSA through the
36 continued pursuit of low-impact rural activity. Land within the Wekiva
37 Traditional Rural District, and not otherwise vested may be allowed to develop at
38 a maximum residential density of one (1) dwelling unit per five (5) net acres, or
39 alternatively at a maximum residential density of one (1) dwelling unit per three
40 (3) net acres with PUD zoning and provided that a minimum 35% of the net
41 buildable area is protected as open space. Non-residential uses within this district
42 shall protect a minimum of 35% of the net buildable area as open space.

3. Municipal Joint Planning Areas and Mount Plymouth-Sorrento

The County shall coordinate with the municipalities of Mount Dora and Eustis regarding the distribution of density and intensity and the protection of open space within their respective Joint Planning Areas (JPAs), consistent with adopted Joint Planning Agreements as they may be amended from time to time. Development of property within the Mount Plymouth-Sorrento Planning Area outside of the WRPA shall comply with policies established within this Comprehensive Plan and the Land Development Regulations for the Mount Plymouth-Sorrento Historic Village Overlay District Area. Within the Urban Compact Node-Non Wekiva, a Main Street district not to exceed 1.5 square miles in size shall be defined, which shall be considered the urban core of the Mount Plymouth-Sorrento community most appropriate for in-fill and providing for a mix of uses including retail, office, civic, and residential. Outside of the Main Street district, new residential urban development shall be required to protect a minimum 50% of the net area of the site as open space, and new non-residential development shall be required to protect a minimum of 35% of the net area of the site as open space.

Land Use Strategy within WSA and outside of WRPA

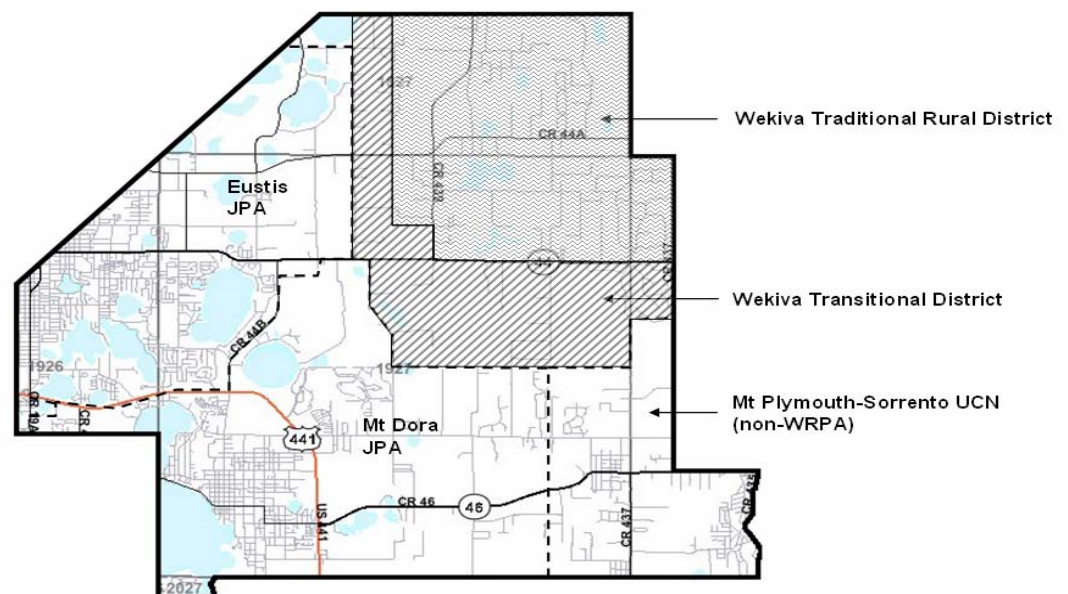


Figure 2 Wekiva Districts

Policy 1-25.3: Open Space Requirements within the Wekiva Study Area (WSA). In order to protect natural resources, including but not limited to aquifer recharge, karst features, native vegetation, habitat, and wildlife, the County shall require that new development within the WSA using PUD zoning, preserve and dedicate open space in perpetuity subject to the following requirements:

* Clustering of units shall be required, where the term clustering means that the built area of the development site is well defined and compact, thereby enabling the creation of contiguous expanses of common open space and the protection of environmentally sensitive areas. Development shall be clustered away from environmentally sensitive areas on site and away from adjacent public conservation land. Open space created through clustering shall be connected to the greatest extent possible to adjacent open space areas and public conservation lands to create contiguous networks and corridors of larger open space.

* Within the WSA and outside of the WRPA, minimum open space requirements shall be consistent with Policy 1-25.2. Within the WSA and inside of the WRPA, if a proposed development seeks to increase density through the WRPA points system, PUD zoning shall be required and a minimum 50% of the net area shall be protected as open space.

* At least 50% of the required open space shall be in a single contiguous area. Open space shall be contiguous with protected open space on adjacent parcels and public conservation lands to the maximum extent feasible.

Policy 1-25.4: Priority for Preservation within the Wekiva Study Area (WSA). Priority for preservation and dedication shall be given to the following natural resources: Most Effective Recharge Areas, wetlands, springs, spring runs, sinkholes and sensitive karst features, as well as sensitive natural habitats including long leaf pine, sand hill, xeric oak scrub, and sand pine scrub vegetative communities.

Policy 1-26.5: Dedication of Open Space within the Wekiva Study Area (WSA). Open space required within the WSA shall be protected as follows:

1. Open space shall be designated to remain undeveloped and protected in perpetuity through the use of conservation easements, plat restrictions, or similar legally recorded and binding instruments that run with the land and establish the conditions and restrictions on the use of the open space area.

2. In order to ensure its permanent protection, open space shall be dedicated by easement to one or a combination of the following, which shall be designated prior to development:

* Conservation Agency such as FDEP or SJRWMD

* Non-profit conservation organization or land trust

* Lake County, subject to county approval

3. The boundaries of the designated open space shall be clearly delineated on project site plans, including recorded plats, and marked in the field using posts or similar devices acceptable to Lake County at a maximum interval of 50 feet to distinguish these areas from areas suitable for development.

- 1
2 4. The cost and responsibility of maintaining open space shall be borne by the owner
3 of the open space, typically a Home Owners Association (HOA). An open space
4 management plan shall be required to accompany the development, subject to
5 County approval. The management plan shall establish conservation objectives,
6 outline procedures, and define the roles and responsibilities for managing open
7 space, including establishment of a Qualified Management Entity (QME) as
8 appropriate. If not properly maintained, the County may enforce maintenance.
9

10
11 Policy 1-25.6: Development Design Standards. All new development within the Wekiva Study
12 Area (WSA) shall implement conservation design standards including:
13

- 14 * Clustering of dwelling units on smaller lots to create contiguous tracts of common
15 open space for the protection of wildlife, natural habitat, karst features, most
16 effective recharge, and aquifer recharge, pursuant to Policy 1-26.2 and Policy 1-
17 26.3.
18
19 * Maintain, enhance, and protect corridors for wildlife movement in coordination
20 with adjacent properties.
21
22 * Protection of open space in perpetuity by easement, plat, or similar recorded
23 binding instrument.
24
25 * Minimal site disturbance and alteration of terrain, through use of design
26 techniques that protect native vegetation and minimize earth movement such as
27 reduced pavement widths, stem-wall construction, swales, and native landscaping.
28
29 * Use of native plants and “right plant-right place” landscaping techniques that
30 provide compatibility with the natural environment, and limiting lawn and
31 landscaped areas requiring irrigation or regular chemical applications to no more
32 than 50% of all pervious areas, including residential lots.
33
34 * Central water and sewer facilities that can be connected to a regional system when
35 available for all new development within the WSA with a density in excess of one
36 unit per net buildable acre, as described in the public facilities element.
37
38 * Installation of reclaimed water lines within service areas in order to ensure the
39 present or future capability to receive treated reuse water.
40
41 * Best management practices according to the principles and practices of the
42 Florida Yard and Neighbors Program.
43

44 Policy 1-25.7: Protection of Karst Features. The County shall require that new development be
45 designed to avoid and protect karst features with the intent of maintaining their natural function,
46 integrity and structure. Sensitive karst features shall be considered for potential acquisition by

the County with priority given to those areas where protection would render a property undevelopable.

Policy 1-25.8: Identification of Karst Features. The County shall require that karst features are accurately identified on development proposals, and protected during construction and after development by the following:

- * Inclusion of karst features into pervious open space areas.
- * Incorporation of karst features as aesthetic elements.
- * Prevention of stormwater discharge to sensitive karst features.
- * Avoidance of all karst features in the discharge of wastewater effluent.
- * Protection zone buffering around sensitive karst features to maintain natural context, edge vegetation, and structural protection.

Policy 1-25.9: Setbacks from Sensitive Karst Features. Development shall be setback from sensitive karst features and spring runs as specified below. The setback shall consist of a buffer that retains all natural vegetation within the setback area.

<u>Feature</u>	<u>Minimum setback</u>
<u>Springs</u>	<u>300 feet</u>
<u>Spring runs</u>	<u>100 feet</u>
<u>Other sensitive karst features</u>	<u>200 feet</u>
<u>Non-sensitive karst features</u>	<u>100 feet</u>

As of the effective date of this policy, if a lot of record is too small to comply with the setback requirements above, structures and pervious surfaces shall be located at the maximum distance possible from the karst feature(s), and a swale and berm shall be built between the developed area and karst feature to direct drainage away from the feature.

Policy 1-25.10: Development BMPS for Ground water Protection. In order to minimize the contribution of nitrates to ground water and to foster stewardship of the Wekiva springshed, special design and best management practices shall be instituted for development within the Wekiva Study Area (WSA):

1. Development shall use joint or shared access to the maximum extent feasible in order to minimize impervious surfaces.

2. Nonresidential development shall minimize the size of contiguous impervious areas and shall use shared parking to the maximum extent feasible in order to minimize impervious surfaces. All parking lots with 100 or more spaces shall be designed with a minimum of 20% of the parking spaces as pervious area.
3. Design of parking lots, sidewalks, buildings, and other impervious surfaces shall minimize connections between impervious surfaces through techniques that shall be depicted on the development site plan, such as:
 - * Directing flows from roof drains to vegetated areas or to rain barrels or cisterns for reuse
 - * Directing flows from paved areas to vegetated areas
 - * Locating impervious surfaces to drain to vegetated buffers or natural areas
 - * Breaking up flow directions from large paved surfaces
4. Porous pavement materials, pervious concrete, and pervious asphalt shall be used to minimize the amount of impervious surface.
5. Drainage for streets and roads within new development shall be through roadside swales and berms. Curb and gutter design should not be approved, except where safety issues exist. Infill and redevelopment within existing urban areas with existing curb and gutter are exempt from these requirements. Where curb and gutter is approved, and to the extent feasible, the curb and gutter shall be designed to provide adequate curb cuts to allow run-off to be directed to roadside landscaped swales for infiltration and treatment prior to discharge.
6. Development shall be designed to minimize site disturbance using techniques including but not limited to:
 - * Limiting clearing to the minimum area necessary for development
 - * Avoid or minimize the removal of existing trees and vegetation
 - * Minimize soil compaction to the footprint of development
 - * Minimize connected impervious surfaces to reduce water runoff flows and increase opportunities for infiltration

~~OBJECTIVE 1 27: WEKIVA OCALA CORRIDOR. The County shall regulate the use of land within the Wekiva Ocala Corridor, depicted in Figure Y and generally described as that portion of northeast Lake County that includes the Wekiva River Protection Area and its northern extension into and including the Ocala National Forest, with an~~

emphasis on sustaining rural land use patterns and the preservation of natural habitat, wildlife populations, and opportunities for passive recreation.

Policy 1-27.1: Development within the Wekiva Ocala Corridor. Lake County shall protect the Wekiva Ocala Corridor by regulating the density and intensity of development within the Wekiva River Protection Area (WRPA), consistent with the Future Land Use Element, and through application of the Rural Future Land Use category series within the Wekiva Ocala Corridor outside of the WRPA. In addition to those areas that utilize PUD zoning to protect open space within the Wekiva Study Area, the County may require PUD zoning and clustering for any proposed development within the Wekiva Ocala Corridor, if necessary as determined by the County, to ensure the protection of natural resources, including but not limited to habitat, wildlife, wildlife corridors, or to provide for resource management such as prescribed fire.

* Clustering of dwelling units on smaller lots to create contiguous tracts of common open space for the protection of natural habitat, wildlife, and wildlife corridors for all development utilizing PUD zoning.

* Maintain, enhance, and protect corridors for wildlife movement in coordination with adjacent properties.

* Protection of open space in perpetuity by easement, plat, or similar recorded binding instrument.

* Minimal site disturbance and alteration of terrain, through use of design techniques that protect native vegetation and minimize earth movement such as reduced pavement widths, stem wall construction, swales, and native landscaping.

* Use of native plants and “right plant-right place” landscaping techniques, which provide compatibility with the natural environment and minimize the use of chemicals, pesticides, and water for irrigation.

* Protection of karst features, sensitive natural habitat, and minimum required open space consistent with WSA requirements contained within this Comprehensive Plan, and which shall be applicable generally within the Ocala Wekiva Corridor.

The Land Development Regulations of Lake County shall be updated as appropriate to implement the aforementioned standards.

Policy 1-27.2: Development within the Ocala National Forest. In order to protect natural resources of the Ocala National Forest, it shall be the policy of Lake County to limit future development on private land within boundaries of the forest to the rural Low Density future land use category, with the exception of the Astor and Astor Park communities as depicted on the Future Land Use Map. Lake County shall review all proposals for the development of private

1 land within the boundaries of the Ocala National Forest, including within Astor and Astor Park,
2 for potential impact to forest resources.

3
4 ~~Policy 1-27.3: Coordination of Land Use with Objectives of the Wekiva-Ocala Greenway~~
5 ~~Project. Lake County in cooperation with the Department of Environmental Protection and the~~
6 ~~Florida Fish and Wildlife Conservation Commission shall identify essential ecological corridors~~
7 ~~within northeast Lake County and the Florida Division of State Lands Wekiva Ocala Greenway~~
8 ~~project area that are necessary to establish a viable and permanent landscape linkage between~~
9 ~~the Wekiva basin and Ocala National Forest. This evaluation shall consider habitat~~
10 ~~connectivity, corridors for wildlife movement and the relationship between public and private~~
11 ~~lands within the project area with the intent of developing a comprehensive land use and~~
12 ~~conservation strategy for ensuring long term protection of the greater Wekiva Ocala ecosystem.~~

13
14 ~~Policy 1-27.4: Land Preservation with the Wekiva-Ocala Corridor. Lake County shall support,~~
15 ~~assist and actively encourage public land acquisition and conservation easements as appropriate~~
16 ~~in order to protect environmentally sensitive areas and wildlife corridors within the Wekiva-~~
17 ~~Ocala Corridor and Florida Division of State Lands Wekiva Ocala Greenway project. The~~
18 ~~County shall utilize revenue bonds from the Lake County Land Acquisition program and partner~~
19 ~~to the greatest extent possible with federal, state and local governments and agencies, and with~~
20 ~~private non-profit conservation organizations as appropriate, to achieve this purpose.~~

21
22 ~~Policy 1-27.5: Agriculture within the Wekiva Ocala Corridor. The County shall support the use~~
23 ~~of land within the Wekiva Ocala Corridor for low impact sustainable agriculture, such as~~
24 ~~silviculture, that is compatible with natural resource protection. The County shall require~~
25 ~~compliance with the most current revision of "Silviculture Best Management Practices"~~
26 ~~developed by the Florida Department of Agriculture and Consumer Services, Division of~~
27 ~~Forestry and "Protecting Florida's Springs Land Use Planning Strategies and Best~~
28 ~~Management Practices" (DCA/DEP).~~

29
30
31 4. **Amendment.** The Conservation Element, Objective 7-2, shall be amended to
32 read as follows:

33
34 Policy 7-2.2A: Ground water Recharge. The County shall protect ground water recharge areas
35 through land use strategies including but not limited to reduction of land use densities in critical
36 areas, mandatory open space, protection of pervious surface areas, drought-tolerant landscaping,
37 and the use of reclaimed water for irrigation. An aquifer recharge overlay classification shall be
38 developed that sets standards to protect the infiltration functions of protected and most effective
39 aquifer recharge areas.

40
41 Policy 7-2.2B: Landscaping at County Facilities: By January 1, 2008, the County shall establish
42 guidelines for managing existing and future land and landscapes at county facilities using the
43 educational guidelines contained in the University of Florida Extension's Florida Yards and
44 Neighborhoods Program, Environmental Landscape Management (ELM) principles and Best
45 Management Practices (BMPs). Such guidelines shall include practices that are designed to
46 reduce nitrate infiltration into ground and surface waters.

1
2 Policy 7-2.2C: Protection of Sinkholes and Sensitive Karst Features. Lake County, with the
3 assistance of other federal, state, regional and local agencies, and using aquifer vulnerability
4 mapping and other tools shall identify, to the extent practical, sensitive karst features Within
5 areas of sensitive karst features, the County shall at a minimum require stormwater treatment to
6 protect the Floridan Aquifer from contamination. Land uses within these areas shall be tightly
7 regulated so as to restrict activities with the potential to cause adverse impacts on the quality of
8 water in the Florida Aquifer. The use of sensitive karst features for stormwater or wastewater
9 disposal shall be prohibited.

10
11 Acquisition of sensitive karst areas should be considered by the County to ensure their
12 protection.

13
14 {All other Policies within Objective 7-2 shall remain unchanged.}

15
16 **5. Amendment.** The Conservation Element, Objective 7-3, shall be amended to
17 read as follows:

18
19 Policy 7-3.1A: Protect Waters and Watersheds. The County shall participate in programs at the
20 local, regional, state, and federal levels to protect and manage waters and watersheds given
21 special protection status by law, rule or ordinance. These areas shall include but not be limited
22 to the GSACSC, the Wekiva River and its tributaries, the Wekiva-Ocala Greenway, OFWs and
23 OLWs. Proposed activities and development of any type within the 100-year floodplain of the
24 four river basins in Lake County (Wekiva, Oklawaha, Palatlahaha, and St. Johns River) shall be
25 required to demonstrate, prior to approval, that water quality and floodplain functions and values
26 shall not be adversely affected.

27
28 Policy 7-3.2A: Map Outstanding Florida Waters (OFW). The location of the Wekiva River and
29 its tributaries as an OFW and other waters that may be subsequently designated as “Outstanding
30 Florida Waters” shall be placed on maps and GIS overlays prepared for use in regulatory
31 decisions by the County. Section 403.061(27), Florida Statutes, grants FDEP power to: Establish
32 rules that provide for a special category of water bodies within the state, to be referred to as
33 “Outstanding Florida Waters,” which shall be worthy of special protection because of their
34 natural attributes; and the Wekiva River has been so designated. The direct or indirect discharge
35 into OFWs in Lake County shall be regulated consistent with Florida Statutes.

36
37 {All other Policies within Objective 7-3 shall remain unchanged.}

38
39 **6. Creation.** The Conservation Element, Objective 7-4A, shall be created to read as
40 follows.

41
42 OBJECTIVE 7-4A: SPRINGSHEDS. The County shall protect and restore, to the
43 maximum extent possible, sensitive areas within and adjacent to springsheds including
44 springs, seeps, recharge areas, sinkholes, caves, and other sensitive karst features. The
45 following policies shall apply within identified springsheds, including the Wekiva
46 Study Area.

1
2 Policy 7-4A.1: Identification and Protection of Sensitive Springshed Resources. The County, in
3 cooperation with federal, state, regional and local agencies, shall use the aquifer vulnerability
4 assessment maps, the Wekiva Aquifer Vulnerability Assessment, ground water models and other
5 tools as appropriate, to identify and map springs and springsheds, and to designate springshed
6 protection zones (SPZs) to protect the springshed and spring systems resources and designate
7 appropriate land uses in these zones.

8
9 In and around critical springshed resources and sensitive springshed areas, low density and
10 intensity land uses will be designated, including conservation lands, silviculture, parks and
11 recreation areas, and pastures.

- 12
13 • Primary Springshed Protection Zones: To protect these sensitive areas, land uses will
14 be low density and intensity uses including preservation, conservation, recreation and
15 open space and very low density residential. In addition, low-intensity, long-crop
16 rotation silviculture and unimproved rangeland uses are appropriate within the primary
17 zone.
18
19 • Secondary Springshed Protection Zones: Land uses will be low impact uses including:
20 conservation, recreation and open space, silviculture, rangeland, or very low density
21 rural residential.

22
23 Policy 7-4A.2: Acquire Land for Preservation with Springsheds. The County shall protect
24 sensitive springshed resources through the acquisition of land within identified springsheds and
25 SPZs. The County may use revenues and monies that become available to match or leverage
26 funds for private or public acquisition programs, including but not limited to the Florida Forever
27 Program, the Florida Community Trust, the Lake County Land Acquisition Program, to acquire
28 fee simple ownership or less than fee ownership through conservation easements. Karst features
29 directly impacting or showing the potential to impact ground and surface water quality shall
30 receive special consideration for acquisition by the County with priority given to those areas
31 where acquisition would protect the health and welfare of people and the environment.

32
33 Policy 7-4A.3: Environmental Education. The County shall establish programs that provide
34 environmental education for the public about the relevance of water resources, ground water,
35 aquifers, water pollutions, karst features, springs, springsheds, and springshed protection to their
36 community and region, and the vital hydrological system of which they are a part. The County
37 shall coordinate with the local colleges, the school board and individual schools to develop
38 environmental education programs highlighting water resources and springshed protection
39 issues.

40
41 Policy 7-4A.4: Media Outreach. The County shall work with and encourage the media to
42 enhance the environmental literacy of residents with respect to water resources, natural values
43 and issues facing springs and springsheds.

44
45 Policy 7-4A.5: Encourage Use of Best Management Practices (BMPs). The County shall require
46 the use of Best Management Practices within springsheds, including but not limited to guidelines

1 contained in “Protecting Florida’s Springs Manual- Land Use Planning Strategies and BMPs” by
2 the Department of Community Affairs and Department of Environmental Protection dated
3 November 2002, as they relate to each of the following:

4
5 Policy 7-4A.5.1: Agricultural Best Management Practices (BMPs). The County shall work with
6 Federal, State, Regional, and Local agencies, and existing agricultural extension programs to
7 educate, encourage and assist farmers within springsheds to use BMPs that minimize use of
8 water, fertilizers, herbicides and pesticides, that protect karst features, and reduce erosion.
9 Intensive agriculture shall be discouraged in primary and secondary springshed protection zones.

10
11 Policy 7-4A.5.2: Silviculture Best Management Practices (BMPs). The County shall encourage
12 silviculture activities and the use of BMPs that are compatible with the need to protect
13 springsheds and conserve water resources. The County shall require compliance with BMPs
14 outlined in “Silviculture BMPs Manual” (FDACS, Division of Forestry) and with the guidelines
15 in “Protecting Florida’s Springs – Land Use Strategies and Best Management Practices”
16 published by the Florida Department of Community Affairs Department of Environmental
17 Protection dated November 2002. Only low intensity long crop rotation silviculture shall be
18 used in Primary Springshed Protection Zones.

19
20 Policy 7-4A.5.3: Residential and Commercial BMPs. The County shall encourage residential
21 and commercial land owners within springsheds to use BMPs, including Florida-Friendly
22 landscaping practices and guidelines provided by the Florida Yard and Neighbors program, to
23 reduce the use of water, fertilizer, herbicides, and pesticides.

24
25 Policy 7-4A.6: Adoption of Land Development Regulations (LDRs) for Springshed Protection.
26 The County shall adopt LDRs for springshed protection and incorporate BMPs contained in the
27 document “Protecting Florida’s Springs Manual-Land Use Planning Strategies and BMPs”
28 (FDCA and FDEP). These LDRs shall include but not be limited to standards for the use of
29 native and drought tolerant species, clearing of vegetation, landscaping and arbor requirements,
30 agriculture and silviculture practices, aquifer recharge, use of septic systems, creation of open
31 space and efficient irrigation to maximize conservation of water.

32
33 Policy 7-4A.7: Regular Land Use Activities within Springsheds. The County shall regulate land
34 use activities that have potential to adversely impact springsheds and adopt associated LDRs as
35 appropriate.

36
37 Policy 7-4A.7.1: Require Appropriate Stormwater Management. The County shall require the
38 construction of site-appropriate stormwater management systems to ensure that post-
39 development recharge rates equal pre-development recharge rates within areas of protected
40 recharge and Most Effective Recharge. The County shall require compliance with all evaluation
41 and design requirements specified within the Public Facilities element and LDRs for the Wekiva
42 Study Area.

43
44 Policy 7-4A.7.2: Require Open Space within Springsheds. The County shall require a minimum
45 percentage of dedicated open space for new development within identified springsheds,

1 including the Wekiva Study Area (WSA). Clustering techniques shall be used to create open
2 space for aquifer recharge and protection of sensitive karst features.

3
4 Policy 7-4A.7.3: Guide Development away from Springsheds. The County shall guide
5 development away from identified springsheds and SPZs through a variety of approaches
6 including designation of land use type and density restrictions, buffer requirements, land
7 acquisition and conservation easements.

8
9 Policy 7-4A.7.4: Identify Karst and Sensitive Karst Features on Development Proposals. Karst
10 features shall be accurately identified on development proposals. The County shall require
11 strategies for protecting karst features during construction and after development that accomplish
12 the following:

- 13
14 1. Inclusion of karst features into pervious open space areas;
15 2. Use of landscape design principles to incorporate features as aesthetic elements;
16 3. Prohibit discharge of stormwater and wastewater effluent to karst features.
17 4. Perimeter buffering around features to maintain natural context, edge vegetation,
18 and structural protection.

19
20 Policy 7-4A.7.5: Investigate Soils and Subsurface Hydrogeology. The County shall require
21 investigation of soils and sub-surface hydrogeologic conditions prior to submitting a land
22 development proposal or request for land use that may have the potential for adverse impact to a
23 springshed or SPZ.

24
25 Policy 7-4A.8: Golf Courses within Springsheds: The County shall require that all golf course
26 siting, design, construction, management and monitoring processes within springsheds, including
27 within the Wekiva Study Area (WSA), implement golf course practices described in the
28 “Protecting Florida’s Springs, Manual-Land Use Planning Strategies and BMPs” by the
29 Department of Community Affairs and Department of Environmental Protection, dated
30 November 2002. In addition, the County shall implement Land Development Regulations to
31 carry out this policy.

32
33 Policy 7-4A.9: Landscaping within the Wekiva Study Area (WSA). Within the WSA, the
34 County shall require that all development implement Best Management Practices (BMPs)
35 described by the principles and practices of the Florida Yards and Neighborhoods Program
36 established by the University of Florida. New development within the WSA shall be designed to
37 limit turf grasses and landscaping requiring regular irrigation and chemical application to no
38 more than 50% of all pervious areas, including resident lots.

39
40 Drought tolerant vegetation shall be required and native vegetation encouraged. The County
41 shall adopt LDRs as required to implement these provisions, utilizing “Guidelines for Model
42 Ordinance Language for Protection of Water Quality and Quantity Using Florida Friendly Lawns
43 and Landscapes” (FDEP).

44
45 Policy 7-4A.10: Landscape and Lawn Care Certification. The County shall establish an
46 education and certification program for landscape and lawn-care professionals regarding

1 responsible practices that limit water use, fertilizers and pesticides. This program shall be
2 applicable generally county-wide and specifically for the Wekiva Study Area (WSA).

3
4 Policy 7-4A.11: Wastewater Treatment Systems within Springsheds. The County shall support
5 and require compliance with all agency regulations relating to the location and operation of
6 central wastewater treatment facilities, including advanced standards for wastewater treatment
7 facilities within the Wekiva Study Area (WSA) adopted pursuant to FDEP rule. The County
8 shall coordinate with the Florida Department of Health regarding the development and
9 implementation of rules and regulations relating to septic systems and onsite sewage treatment
10 and disposal systems that may be required within environmentally-sensitive areas, including the
11 WSA. The County shall consider establishment of a mandatory pump-out program for septic
12 system within the WSA, similar to the five-year pump out program utilized within the GSACSC.

13
14 7. **Amendment.** The Conservation Element, Objective 7-5, shall be amended to
15 read as follows:

16
17 Policy 7-5.1A: Protection of Wetlands. The County shall implement policies and LDRs to
18 protect and preserve wetlands and other environmentally sensitive areas for natural water
19 management and hydrologic functions, for use by aquatic and wetland dependent wildlife, as
20 habitat for endangered, threatened or species of special concern, and for passive recreation.
21 Within the Wekiva-Ocala Study Area Wekiva River Protection Area and GSACSC, wetland
22 impacts, including the placing or depositing of fill within wetlands, shall be prohibited except as
23 necessary to provide for legal ingress or egress to developable upland areas. In such
24 circumstances, structural enhancements shall be required to maintain wetland connectivity and
25 natural flow regimes.

26
27 {All other policies contained within Objective 7-5 shall remain unchanged.}

28
29 8. **Creation.** The Conversation Element, Objective 7-5B, shall be created to read as
30 follows:

31
32 **OBJECTIVE 7-5B: AREAS OF ECOLOGICAL SIGNIFICANCE**

33
34 Policy 7-5B.1: Wekiva-Ocala Greenway. The County shall preserve the integrity of the
35 Wekiva-Ocala Greenway which links the Ocala National Forest and state-owned lands along the
36 Wekiva River as an intact ecosystem of statewide significance by protecting its discrete and
37 intra-dependent natural resources including but not limited to its springs, springsheds, river
38 system, karst features, wetland and upland communities, ecological connectivity, and wildlife.

39
40
41 9. **Amendment.** The Conservation Element, Objective 7-6, shall be amended to
42 read as follows:

43
44 Policy 7-6.2: Conservation of Natural Upland Plant Communities 9J-5.013(2)(c)(3), (9). Lake
45 County shall regulate the conservation of its natural upland communities through the policies of
46 this plan. These policies shall be incorporated into the Land Development Regulations. The

1 following upland plant communities, as generally identified on Maps 7-23, 7-24, 7-25 and 7-
2 25A (attached), shall be protected from the impacts of development as provided for in these
3 policies:

- 4 1. ~~_____~~ Pine Flatwoods
- 5 2. ~~_____~~ Longleaf Pine/Xeric Oak
- 6 3. ~~_____~~ Sand Pine
- 7 4. ~~_____~~ Upland Mixed Coniferous Hardwood
- 8 5. ~~_____~~ Mesic Flatwoods/Dry Prairie

9
10 The County shall regulate the conservation of natural upland communities through provisions of
11 the Land Development Regulations. The following upland plant communities shall be protected
12 from the impacts of development: Pine flatwoods, longleaf pine/xeric oak, sand hill, sand pine,
13 upland mixed coniferous hardwood, mesic flatwoods/dry prairie. This list includes sensitive
14 natural habitats specifically identified by the Wekiva Parkway and Protection Act (longleaf pine,
15 sand hill, sand pine, and xeric oak scrub.)

16
17 Policy 7-6.7: Site Survey and Protection of Natural Upland Plant Communities. The County
18 shall require all development proposals in excess of fifty (50) acres to inventory the type and
19 extent of natural upland vegetative communities occurring on the development site. The survey
20 shall be completed by a qualified biologist and also include a survey of plant and wildlife
21 populations, and indicate the presence of any designated species. The species survey shall utilize
22 a professionally accepted methodology approved by the County in consultation with the
23 FFWCC. In addition, the survey shall inventory corridors important for wildlife movement. If a
24 protected upland plant community identified in the previous policy is identified on site, then
25 those communities shall be preserved for up to 50% of the subject site. Connectivity shall be
26 maintained among protected upland areas to the greatest extent possible. The County shall have
27 the authority to accept alternatives to onsite conservation that provide for the long-term
28 protection and management of upland communities of equal or greater value elsewhere. Within
29 the Wekiva Study Area, developments proposals in excess of five (5) acres shall require an
30 upland vegetative community inventory.

31
32 Policy 7-6.8: Protection of Sensitive Natural Habitat within the Wekiva Study Area (WSA).
33 The County shall protect sensitive natural habitat within the WSA, including Longleaf
34 Pine/Sandhill, Sand Pine, and Xeric Oak Scrub communities, through land acquisition and
35 regulation.

36
37 Policy 7-6.9: Acquisition of Sensitive Natural Habitat. The County shall strive to protect
38 sensitive natural habitat within the Wekiva Study Area (WSA) through land acquisition and the
39 establishment of conservation easements. The County shall utilize funds from the Lake County
40 Land Acquisition Program and partner with federal, state and local governments and agencies,
41 and with non-profit conservation organizations, to the greatest extent possible.

42
43 Policy 7-6.10: Protection of Sensitive Natural Habitat with Development. For new development
44 within the Wekiva Study Area (WSA), a site analysis shall be performed during the development
45 review process to identify sensitive natural habitats. If any such habitat is determined to exist on

1 site, proposed development shall be required to avoid and protect such areas where they exist as
2 follows:

- 3
- 4 1. Design shall be accomplished to maintain sensitive natural habitat in functional,
5 clustered and contiguous configurations that maximizes use by wildlife and maintains
6 the long-term viability of natural communities. This includes linkages to habitat
7 corridors and greenways where possible.
- 8
- 9 2. If the sensitive natural habitat identified on site is determined to be of minimal
10 ecological value, the County may accept alternatives to onsite conservation that
11 provide for the long-term protection and management of sensitive natural habitat of
12 equal or greater value elsewhere within the WSA that is not otherwise protected.
13 Such alternatives may include the off-site preservation of sensitive natural upland
14 habitat through fee-simple purchase of conservation easement.
- 15
- 16 3. The LDRs shall establish criteria for determining which projects warrant the use of
17 alternatives to onsite conservation. Criteria may include but are not limited to size,
18 quality, connectivity, management opportunities, and adjacent uses.
- 19
- 20 4. Sensitive natural habitats protected on-site shall require a permanent conservation
21 easement and be incorporated as open space within the subject property.
- 22

23 Policy 7-6.11: Management Plan for Sensitive Natural Habitat. Within the Wekiva Study Area
24 (WSA), the County shall require the development and implementation of a management plan for
25 any sensitive natural habitat occupying more than two (2) acres that is to be protected on or off-
26 site as a result of a development project. This management plan shall be prepared at the expense
27 of the applicant by a qualified professional biologist and provide for the following:

- 28
- 29 1. Removal of invasive vegetation, and replanting with native vegetation as
30 necessary.
- 31 2. Maintenance of biodiversity, with special emphasis on protection of listed plant
32 and animal species.
- 33 3. Removal of debris, articles, and structures not permitted by the management plan.
- 34 4. Conditions for use that are limited to passive recreation.
- 35 5. Any additional measures determined necessary to protect and maintain the
36 functions and values of the habitat area while ensuring protection from wildfire.
- 37

38 {All other policies within Objective 7-6 shall remain unchanged.}

39

40

41 10. **Amendment.** The Conservation Element, Objective 7-7, shall be amended to
42 read as follows:

43

44 Policy 7-7.11: Native Vegetation, Habitat, and Wildlife within Development Projects. The
45 County shall require that vegetative communities and wildlife habitats be protected from adverse
46 effects associated with development. The Land Development Regulations shall include

1 provisions to require that development preserve wetlands and portions of developable uplands
2 containing designated species or rare upland habitat. The County shall evaluate its LDRs and
3 code of ordinances (including arbor ordinance), and revise said ordinances and regulations as
4 appropriate to ensure the protection of trees and native vegetation with a target of protecting 50%
5 of trees on site. As appropriate, a tree replacement ratio may be implemented based on type and
6 caliper. Special consideration shall be given to rare upland habitats and designated species
7 within environmentally-sensitive areas such as the Wekiva-Ocala Study Area, and GSACSC.
8 Pursuant to this Comprehensive Plan and LDRs, the development review process shall determine
9 the extent to which preservation of vegetative communities and wildlife habitats shall be
10 protected and incorporated into protected open space on a development site.
11

12 Policy 7-7.12: Wildlife Consideration within Environmentally-Sensitive Areas. The County
13 shall require the following methodology regarding the development of property containing
14 species designated as endangered, threatened, or species of special concern within the Wekiva-
15 Ocala corridor, WSA, and GSACSC:
16

- 17 1. As a condition for development approval, the developer/applicant shall be
18 required to complete a site survey of plants and animals including designated
19 species pursuant to Florida Statutes, utilizing the most current wildlife
20 methodology guidelines published by FFWCC and current information from
21 FNAI.
22
- 23 2. Protection of listed species shall be accomplished either through on-site
24 preservation or relocation within the designated area in accordance with a plan
25 acceptable to, and permitted by FFWCC. Incidental taking of listed species shall
26 be prohibited unless FFWCC determines that a particular group of animals on the
27 site can not benefit from either on-site preservation or relocation. Should such a
28 determination be made, any incidental taking must be expressly and specifically
29 approved by the County. To the extent possible, commensal species shall be
30 relocated with the designated species.
31
- 32 3. If a listed species is determined to exist on a site, the following shall apply in the
33 given order of priority:
34
 - 35 a. The developer/applicant must accomplish development in such a fashion as to
36 avoid the habitat of the listed species; or
37
 - 38 b. The developer/applicant must demonstrate to the County that is not possible to
39 avoid the habitat of said species with the approved use, and then relocate the
40 species on site to an equally suitable area consistent with guidelines published
41 by FFWCC; or
42
 - 43 c. The developer/applicant must demonstrate to the County via site analysis that
44 development with the approved use can not be accomplished through on-site
45 relocation and that a conservation benefit can be achieved for the species and
46 natural community through off-site relocation. In this case, as a final option,

1 only the number of individuals of said species necessary to allow development
2 to occur may be relocated off-site, provided however that additional
3 individuals may be relocated if remaining individuals would not constitute or
4 remain part of a viable population. Relocation must take place within the
5 designated area (~~Wekiva-Ocala corridor~~, WSA or GSACSC) with preference
6 given to properties adjacent or close to the donor site. To the extent possible,
7 commensal species shall be relocated with the designated species.
8

- 9 4. Whether the designated species is protected in place or relocated on or off site, the
10 developer/applicant must assure that the habitat to be occupied by the species will
11 continue to be compatible with survival of that species. The developer/applicant
12 shall be required to dedicate associated habitat to the County, a conservation
13 agency or conservation entity, or shall ensure that a conservation easement or
14 similar legally binding instrument is established over the associated habitat on or
15 off site. A site-specific management plan shall be required for the designated
16 species and associated funding provided as necessary by the developer/applicant.
17

18 11. **Amendment.** The Conservation Element, Objective 7-17, shall be amended to
19 read as follows:
20

21 Policy 7-17.4: Natural Areas Network. Lake County shall develop through its Land
22 Development Regulations criteria for establishing natural area networks by connecting existing
23 natural areas for the purposes of wildlife enhancement, endangered species population
24 maintenance and restoration, retention of aquifer recharge capabilities, establishing open space
25 networks between existing urbanized areas/controlling urban sprawl, airshed protection,
26 enhancement of real estate values, providing recreational lands. The County shall partner with
27 federal, state and local agencies, and with private conservation entities as appropriate, to identify
28 and acquire environmentally-sensitive land in order to establish natural area networks or
29 greenways. These networks or greenways are intended to link parks, preserves and natural areas
30 with the purpose of protecting habitat and wildlife corridors, viable populations of listed species,
31 aquifer recharge capacity, and to establish a county-wide network of open space between
32 developed areas.
33

34 Policy 7-17.5: Special Protection Areas. The County shall participate in programs at the local,
35 regional, state, and federal levels to afford protection and management through acquisition and
36 conservation easements within land areas given special protection status. These land areas shall
37 include but not be limited to the Green Swamp Area of Critical State Concern, the Lake Wales
38 Ridge, the Wekiva-Ocala Greenway and the Wekiva Study Area.
39

40 {All other policies within Objective 7-17 shall remain unchanged.}
41

42 13. **Creation.** Objective 6A-5 and Objective 6A-6, Public Facilities Element,
43 Sanitary Sewer Sub-Element, is hereby created to read as follows:
44

45 OBJECTIVE 6A-5: CENTRAL SEWER SERVICE IN THE WEKIVA STUDY AREA.
46 Lake County shall require the implementation of advanced wastewater treatment and

1 disposal facilities where central services exist within the Wekiva Study Area (WSA) to
2 minimize impact on surface and ground water resources, consistent with state agency
3 rules.

4
5 Policy 6A-5.1: Provision of Central Sewer Services. In order to reduce nutrient loading within
6 the Wekiva Springshed, the County will encourage the central sewerage of areas with a high
7 septic tank density.

8
9 Policy 6A-5.2: Wastewater Discharge. The County shall require that wastewater discharge from
10 facilities within the WSA is treated to comply with all FDEP regulations for advanced
11 wastewater treatment.

12
13 Policy 6A-5.3: Coordination with Wastewater Providers. The County shall cooperate with
14 wastewater service providers to jointly address ground and surface water nutrient loading issues
15 within the WSA. Such efforts should address water quality throughout the entire basin
16 comprehensively, not only on a site specific basis, and should aim to leverage limited resources
17 and take advantage of economies of scale.

18
19 Policy 6A-5.4: Disposal of Sludge and Residual Wastewater. The County shall prohibit land
20 application of sludge or wastewater residuals within the WSA.

21
22 OBJECTIVE 6A-6: ONSITE SEWAGE DISPOSAL SYSTEMS IN THE WEKIVA
23 STUDY AREA (WSA). Lake County shall encourage upgraded, modified, and new
24 septic systems to use the latest treatment technologies, performance standards, and
25 operational procedures to maximize nutrient removal and minimize ground and surface
26 water contamination.

27
28 Policy 6A-6.1: Enhanced Onsite Wastewater Treatment. The County will coordinate with
29 Federal, State, Regional and Local agencies to evaluate various systems to maximize nutrient
30 removal and to provide appropriate, cost effective solutions for new and retrofitted onsite
31 systems. Based on these evaluations, the County may adopt standards in the Land Development
32 Regulations that require new or modified septic systems within the WSA, and existing systems
33 to be designed to provide specific levels of nutrient removal sufficient to achieve a target
34 discharge limit. The County shall cooperate with the Florida Department of Health, Florida
35 Department of Environmental Protection, and St. Johns River Water Management District
36 regarding the adoption of rules relating to the use of onsite treatment and disposal systems within
37 the WSA. The County shall consider incentives to encourage the use of more efficient nitrogen-
38 removing technologies for onsite systems as they become available.

39
40 Policy 6A-6.2: Onsite Sewage Disposal Maintenance. The County will cooperate with state
41 agencies in establishing a program and management entity to ensure maintenance of septic tanks
42 and onsite wastewater treatment and disposal systems within environmentally sensitive areas
43 vulnerable to surface or ground water contamination, including but not limited to the WSA and
44 Green Swamp. The management entity may be a part of local governments, a regional entity, or
45 a special district. Maintenance of nitrogen-removing systems is critical to assure that design
46 performance is met. The County shall continue to require compliance with its mandatory pump-

1 out program for septic tanks within the Green Swamp, and shall evaluate expansion of this
2 program or similar program to the WSA

3
4 Policy 6A-6.3: Septage. Lake County shall prohibit the surface spreading or depositing of
5 septage within environmentally sensitive areas, including but not limited to the Wekiva River
6 Protection Area and Green Swamp.

7
8 14. **Severability.** If any section, sentence, clause or phrase of this Ordinance is held
9 to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in
10 no way affect the validity of the remaining portions of this Ordinance.

11
12 15. **Effective Date.** This Ordinance shall become effective as prescribed by law.

13
14 ENACTED this _____ day of _____, 2006.

15
16 FILED with the Secretary of State _____, 2006.

17
18 EFFECTIVE _____, 2006

19
20 BOARD OF COUNT COMMISSIONERS
21 LAKE COUNTY, FLORIDA

22
23 _____
24 Catherine C. Hanson, Chairman

25
26 This _____ day of _____, 2006.

27 ATTEST:

28
29 _____
30 James C. Watkins, Clerk of the
31 Board of County Commissioners,
32 Lake County, Florida

33
34 Approved as to form and legality:

35
36 _____
37 Sanford A. Minkoff
38 County Attorney
39